

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARY JANE GLOWCZENSKI AND JEAN
GRIFFIN, Individually and as
Co-Administratrix of the Estate
Of DAVID GLOWCZENSKI,
Plaintiffs,

No. 04-Cv.4052 (SJF)(WDW)
ECF Case

-against-

DEFENDANT TASER
INTERNATIONAL
INC.'S EXHIBITS
LISTING

VILLAGE OF SOUTHAMPTON, SOUTHAMPTON VILLAGE
POLICE DEPARTMENT, POLICE OFFICER Brian
Platt, in his individual and official
capacity, POLICE OFFICER Marla Donovan, in
her individual and official capacity POLICE
OFFICER Chris Wetter, in his individual and
official capacity, POLICE OFFICER Arthur
Schucht, in his individual and official
capacity, COUNTY OF SUFFOLK, SUFFOLK COUNTY
POLICE DEPARTMENT, LIEUTENANT Jack
Fitzpatrick, in his individual and official
capacity, LIEUTENANT Howard Lewis, in his
individual and official capacity and John
Doe 1-10, who are known by name to the
Defendants but as of yet are not fully
known to the Plaintiffs, OFFICE OF THE
SUFFOLK COUNTY MEDICAL EXAMINER, James C.
Wilson, M.D., Deputy Medical Examiner, in
his individual and official capacity,
SOUTHAMPTON VILLAGE VOLUNTEER AMBULANCE
(a.k.a SOUTHAMPTON E.M.T. UNIT), Melissa
Croke, EMT, in her individual and Official
capacity, Keith Philips, EMT, in his
individual and official capacity, Keith
Philips, EMT, in his individual and
official capacity, Tim Campbell, EMT, in
his individual and official capacity, and
James Moore Ambulance Driver, in his
individual and official capacity, TASER
INTERNATIONAL, INC.,

Defendants.

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Defendant, TASER INTERNATIONAL INC., by its attorneys
JOSEPH A. MARIA, P.C., submits the following Exhibits in
support of its Motion for Summary Judgment:

- Exhibit "A" - Complaint;
- Exhibit "B" - Answer to Complaint;
- Exhibit "C" - Pre-Hospital Care Report of
Southampton Village Voluntary
Ambulance;
- Exhibit "D" - Southampton Hospital Records.
- Exhibit "E" - Autopsy Reports;
- Exhibit "F" - Deposition Transcript of Patrick
Smith dated July 8, 2008;
- Exhibit "G" - Deposition Transcript of Rick
Guilbault dated May 12, 2008;
- Exhibit "H" - Deposition Transcript of Robert
Allen Stratbucker, M.D., dated May
14, 2008;
- Exhibit "I" - Deposition Transcript of Magne
Nerheim dated May 13, 2008;
- Exhibit "J" - Rule 26 Initial Disclosure of
Defendant dated February 20, 2007;
- Exhibit "K" - Continued Rule 26 Disclosure of
Defendant dated April 14, 2009;
- Exhibit "L" - Deposition Transcript of Police
Officer Marla Donovan dated
January 28, 2009;

- Exhibit "M" - Deposition Transcript of Police Officer Brian Platt dated February 10, 2009;
- Exhibit "N" - Deposition Transcript of Lieutenant Howard Lewis dated January 28, 2009;
- Exhibit "O" - Deposition Transcript of Arthur Schucht dated January 29, 2009;
- Exhibit "P" - Deposition Transcript of Keith Philips dated January 21, 2009;
- Exhibit "Q" - Deposition Transcript of Thomas Campbell dated January 21, 2009;
- Exhibit "R" - Report of Deborah C. Mash, Ph.D. dated March 16, 2009, with CV;
- Exhibit "S" - Report of Michael Graham, M.D., Dated March 25, 2009 with CV;
- Exhibit "T" - Report of Plaintiff's Expert, David S. Rosenbaum, M.D. dated April 16, 2009;
- Exhibit "U" - Supplemental Report of County of Suffolk dated January 14, 2005 regarding TASER results;
- Exhibit "V" - Deposition Transcript of Non-Party Witness Julie Bradshaw dated April 2, 2008;
- Exhibit "W" - Pilgrim State Psychiatric (King's Park) records;
- Exhibit "X" - Social Security Administration records;

Exhibit "Y" - Southampton Village Police Reports dated January 19, 1994, June 30, 1994 and August 26, 1995; Southampton Police Crime Report;

Exhibit "Z" - INTENTIONALLY NOT USED

Exhibit "AA" - Misdemeanor Information of plaintiff, Village of Southampton, dated August 26, 1995

Exhibit "BB" - Violation Complaint and Withdrawal of Theodore Glowczenski;

Exhibit "CC" - Incident Report dated September 29, 1995;

Exhibit "DD" - Letter from Dr. Nicholas Pott Dated October 24, 1995;

Exhibit "EE" - Incident Report dated April 20, 2000;

Exhibit "FF" - Incident Report dated August 9, 2000;

Exhibit "GG" - Incident Report dated June 13, 2002;

Exhibit "HH" - Incident Report dated January 30, 2003; Certificate of Conviction dated February 24, 2003 with Order;

Exhibit "II" - Suffolk County Police Department Death Report dated February 6, 2004;

Exhibit "JJ" - Suffolk County Police Department Supplementary Report dated February 21, 2004 and witness statements: Patricia Pape(2/4/04), Carolyn Cirigliano (2/4/04), Julie Cosgrove (2/4/04), Sandra

Martinelli (2/4/04) Michael Maryon (2/4/04) and Patricia Carlson (2/6/04); cause of death letter dated 11/05/04 statements;

- Exhibit "KK" - Deposition of Southampton Village Police Officer Christopher Wetter dated January 28, 2009;
- Exhibit "LL" - Supplemental Report of Southampton Village Police Officer Christopher Wetter;
- Exhibit "MM" - Village of Southampton Police Department Internal Correspondence to Lieutenant H. Lewis from Sgt. A. Schucht dated February 4, 2004 and February 5, 2004 together with Department Order;
- Exhibit "NN" - Personnel File Report of Brian Platt;
- Exhibit "OO" - TASER Certification of Brian Platt;
- Exhibit "PP" - Deposition Transcript of Mary Jane Glowczenski dated March 3, 2008;
- Exhibit "QQ" - Excerpts of Deposition Transcript of Jean Griffin dated March 4, 2008;
- Exhibit "RR" - Deposition Transcript of Teddy Glowczenski dated March 3, 2008;
- Exhibit "SS" - Southampton Village Police Department 911 Records and Transcript of 911 Calls;
- Exhibit "TT" - Records of Robert Golden, Medical-Forensic Investigation Unit of Suffolk County Medical Examiner's Office;

Exhibit "UU" - Dr. Satish records;

Exhibit "VV" - Deposition Transcript of James C.
Wilson, M.D., dated January 26,
2009;

Dated: White Plains, New York
May 12, 2009

JOSEPH A. MARIA, P.C.

By: /s/
Frances Dapice Marinelli (FM2152)
Joseph A. Maria (JM0209)
Attorneys for Defendant
TASER INTERNATIONAL INC.
301 Old Tarrytown Road
White Plains, New York 10603
Tel: 914-684-0333
File No. 25-0001(dj)

EXHIBIT A

The JS-44 civil cover sheet contains information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS TO THE JUDGE OF THE FORM.)

I. (a) PLAINTIFFS

MaryJane Glowczenski and Jean Griffin
individually and as
Co-Administratrix of the Estate of David

(b) County of Residence of First Listed Plaintiff: Suffolk
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

TASER INTERNATIONAL
LONG ISLAND OFFICE
Out of State

County of Residence of First Listed

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED

(c) Attorney's (Firm Name, Address, and Telephone Number)

Law Offices of Frederick K. Brewington
50 Clinton Street, Suite 501
Hempstead, NY 11550
(516) 488-6959

Attorney (If Known)

CV 04 4052
FEUERSTEIN, S
WALL, M.J.

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☒ 1 ☐ 2 Incorporated or Principal Place of Business In This State ☐ 3 ☐ 4
Citizen of Another State ☐ 2 ☐ 3 Incorporated and Principal of Business In Another State ☐ 5 ☒ 6
Citizen or Subject of a Foreign Country ☐ 3 ☐ 4 Foreign Nation ☐ 6 ☐ 7

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input checked="" type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <input type="checkbox"/> 370 Other Personal Injury <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 410 Agriculture <input type="checkbox"/> 420 Other Food & Drug <input type="checkbox"/> 425 Drug Related Science of Property 21 USC 881 <input type="checkbox"/> 430 Liquor Laws <input type="checkbox"/> 440 R.R. & Truck <input type="checkbox"/> 450 Airline Regs. <input type="checkbox"/> 460 Occupational Safety/Health <input type="checkbox"/> 490 Other <input type="checkbox"/> 410 Agriculture <input type="checkbox"/> 420 Other Food & Drug <input type="checkbox"/> 425 Drug Related Science of Property 21 USC 881 <input type="checkbox"/> 430 Liquor Laws <input type="checkbox"/> 440 R.R. & Truck <input type="checkbox"/> 450 Airline Regs. <input type="checkbox"/> 460 Occupational Safety/Health <input type="checkbox"/> 490 Other	<input type="checkbox"/> 412 Appeal 23 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 420 Copyright <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark <input type="checkbox"/> 412 Appeal 23 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 420 Copyright <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influence and Corrupt Organizations <input type="checkbox"/> 480 Selective Service <input type="checkbox"/> 490 Securities/Commodities/Exchange <input type="checkbox"/> 475 Customer Challenge 12 USC 3410 <input type="checkbox"/> 491 Agricultural Acts <input type="checkbox"/> 492 Economic Stabilization Act <input type="checkbox"/> 493 Environmental Matters <input type="checkbox"/> 494 Energy Allocation Act <input type="checkbox"/> 495 Freedom of Information Act <input type="checkbox"/> 490 Appeal of Fed. Determination Under Equal Access to Justice <input type="checkbox"/> 490 Constitutionality of State Statutes <input type="checkbox"/> 490 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	LABOR	PROPERTY RIGHTS
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 250 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 520 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Ins. Security Act	<input type="checkbox"/> 420 Copyright <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark <input type="checkbox"/> 412 Appeal 23 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <input type="checkbox"/> 420 Copyright <input type="checkbox"/> 430 Patent <input type="checkbox"/> 440 Trademark

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

28 U.S.C. 1332 Defendants negligently manufactured, sold, distributed and provided training for the use of an unsafe Taser Gun which killed Plaintiff's Decedent.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION DEMAND UNDER F.R.C.P. 23

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY (See instructions):

JUDGE: _____ DOCKET NUMBER: _____

DATE: September 20, 2004

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

ARBITRATION CERTIFICATION

I, Frederick K. Brewington, counsel for MaryJane Glowczenski and Jean Griffin
do hereby certify pursuant to the Local Arbitration Rule 83.10 that to the best of
my knowledge and belief the damages recoverable in the above captioned civil action exceed the
sum of \$150,000 exclusive of interest and costs.
Relief other than monetary damages is sought.

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its
stocks:

Did the cause arise in Nassau or Suffolk County? Suffolk YES

If answered yes, please indicate which county. Suffolk

County of residence of plaintiff(s) (1) Suffolk
(2) Suffolk
(3) _____

County of residence of defendant(s) (1) Out of State
(2) _____
(3) _____

I am currently admitted in the Eastern District of New York and currently a member in
good standing of the bar of this court.

Yes X

No _____

Are you currently the subject of any disciplinary action(s) in this or any other state or
federal court?

Yes _____ (If yes, please explain)

No X

Please provide your E-MAIL Address and bar code below. Your bar code consists of the initials
of your first and last name and the first four digits of your social security number or any other
four digit number registered by the attorney with the Clerk of Court.

(This information must be provided pursuant to local rule 11.1(b) of the civil rules).

ATTORNEY BAR CODE: FB5295

E-MAIL Address: lawoffices.fkb@verizon.net

I consent to the use of electronic filing procedures adopted by the Court in Administrative Order
No. 97-12, "In re Electronic Filing Procedures (EFP)", and consent to the electronic service of all
papers.

Signature: Frederick K. Brewington

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ORIGINAL
FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 20 2004 ★

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Mary Jane Glowczenski and Jean Griffin
Individually and as the Co-Administratrix
of the Estate of DAVID GLOWCZENSKI,

Plaintiffs,

-against-

TASER INTERNATIONAL INCORPORATED,

Defendant.
-----X

(S.I.) CV 04 4052
LONG ISLAND OFFICE
COMPLAINT
Docket No.:

FEUERSTEIN, S
WALL, M.J.

Plaintiffs Demand
Trial by Jury

The Plaintiffs, Mary Jane Glowczenski and Jean Griffin, by and through their attorneys, The Law Offices of Frederick K. Brewington, complaining of the Defendant herein, respectfully shows the Court and alleges:

PRELIMINARY STATEMENT

1. This is a civil action sounding in negligence and arising out of an incident leading to the death of David Glowczenski which occurred on February 4, 2004, in the County of Suffolk, State of New York.

2. Specifically, the Plaintiff alleges that the Defendant, its agents, servants, and/or employees, was negligent in the design, repair, testing, inspection, manufacture, distribution, education, warning, labeling, marketing and sale of a Taser gun and or device; causing decedent's death.

JURISDICTION AND VENUE

3. Jurisdiction of the Court is invoked under Diversity of Citizenship of the parties and

the fact that the action arose within the jurisdiction of this Court, more specifically in the Village of Southampton, County of Suffolk, State of New York which is within the Eastern District of New York.

4. The Plaintiffs, Mary Jane Glowczenski and Jean Griffin, are residents of the State of New York, County of Suffolk.

5. That at all times hereinafter mentioned, upon information and belief, the Defendant, TASER INTERNATIONAL INCORPORATED (hereinafter "TASER"), was and is a foreign corporation duly formed and existing under and by virtue of the laws of a State other than New York, and transacts business and/or commerce through New York distributors, sales persons, agents and trainers within and with persons, businesses, municipalities or other entities located and incorporated in the State of New York

6. That at all times hereinafter mentioned, upon information and belief, TASER did and still does transact business within the State of New York and/or contract anywhere to supply goods and services within the State of New York; did commit a tortious act within the State of New York causing injury/death to a person within the State and did and still does regularly conduct and/or solicit business in the State of New York and/or engage in a persistent course of conduct in the State of New York and/or derive substantial revenue from goods used and/or consumed in the State of New York and/or services rendered within the State of New York, and/or the Defendant, TASER, expected its acts to have consequences in the State of New York and they derived substantial revenue from interstate or international commerce.

7. The amount in controversy exceeds one million dollars (\$1,000,000.00) exclusive of interests and costs and plaintiffs' causes of action arise from the defendant's (a) transacting business

in New York; (b) committing a tortious act in New York; (c) causing tortious injury in New York; (d) having sufficient minimum contacts with the State of New York so as to confer personal jurisdiction over it.

PARTIES

8. At all times hereinafter mentioned, plaintiff MARY JANE GLOWCZENSKI was the mother of decedent DAVID GLOWCZENSKI and JEAN GRIFFIN was the sister of decedent DAVID GLOWCZENSKI were and still are residents of the United States residing in the State of New York and the County of Nassau.

9. Upon information and belief, the Defendant, Taser International, was and/or is a foreign corporation duly formed and existing under virtue of the laws of a State other than New York, and transacts business or commerce within or with persons, businesses or other entities located or incorporated in the State of New York.

10. Upon information and belief, at all times hereinafter mentioned, Defendant, Taser maintains a business office at 7860 E. McClain Drive, Suite 2, Scottsdale, Arizona 85260.

11. Upon information and belief, Defendant, Taser was and is in the business of developing, manufacturing, assembling, marketing, promoting, distributing and selling energy weapons primarily for use in the law enforcement, corrections, private security and personal defense market.

12. Upon information and belief, at all times hereinafter mentioned, Defendant, TASER is the manufacturer, designer, developer, marketer, promoter, and distributor of a Taser gun *Model Nos. "X26" and "M26"*.

AS AND FOR THE FIRST COUNT
(Negligence)

13. Plaintiff repeats and realleges each and every allegation previously stated in paragraphs 1 through 12 above as though fully set out herein.

14. That at all times hereinafter mentioned, upon information and belief, Defendant, Taser International, Inc. was and is in the business of design, testing, inspection, assembly, construction, manufacturing, marketing, distributing, labeling, sale, promotion, training, warning, maintenance, service and/or repair of weapons known as taser guns *Model Nos. "X26" and "M26"* and all of the component parts, equipment, accessories and related products which were and still are sold in the State of New York to various municipalities, individuals and companies for deployment, operation or use.

15. That on or prior to February 4, 2004, upon information and belief, Defendant, Taser International designed, tested, inspected, assembled, constructed, distributed, labeled, sold, promoted, maintained, serviced and/or repaired a weapon or weapons known as *MODEL NOS. "X26" AND/OR "M26" TASER GUN* and all component parts, equipment, accessories and related products as same existed or came to exist at the Taser International Company located at 7860 E. McClain Drive, Suite 2, Scottsdale, Arizona 85260 and were then sold and transported to Suffolk County, New York State.

16. Defendant, Taser, herein, its servants, agents and/or employees were negligent and careless in failing to properly design, manufacture, install, educate, warn, train, label, configure, and equip the aforementioned products known as a *MODEL NOS. "X26" AND/OR "M26" TASER GUN* and were negligent and careless in the warning, educating, design, testing, inspection, assembling,

construction, manufacturer, distribution, labeling, sale promotion, training, maintenance, service and/or repair of the *MODEL NOS. "X26" AND/OR "M26" TASER GUN* and all the component parts, equipment, accessories and related products which were not safe for the intended purpose and were not free from design and/or manufacturer's defects and which failed to give adequate warnings and directions for safety and use of which the defendant knew or should have known that the product was dangerous and harmful and capable of causing severe injuries and possible death to human beings.

17. That prior to February 4, 2004, Defendant, Taser, through an authorized agent, employee, and/or distributor, distributed, sold, transferred and delivered to the Village of Southampton, and/or the Southampton Village Police Department, and/or the Suffolk County Police Department certain Taser weapons/guns for use by members of the Southampton Village Police Department.

18. On February 4, 2004, members of the Southampton Village Police Department utilized the *MODEL NOS. "X26" AND/OR "M26" TASER GUNS* provided, sold and/or supplied to them by Defendant Taser in a manner that was foreseeable and consistent with its intended and foreseeable purposes and uses.

19. That on February 4, 2004 the *MODEL NO. "X26" AND/OR "M26" TASER GUNS* were used on the body and person of the decedent DAVID GLOWCZENSKI.

20. That on February 4, 2004, the *MODEL NOS. "X26" AND/OR "M26" TASER GUNS* were used on the body and person of the decedent DAVID GLOWCZENSKI in a manner that was foreseeable and consistent with promotions provided by TASER, and the intended and foreseeable purposes and uses of this weapon.

21. That on February 4, 2004 the *MODEL NO. "X26" AND "M26" TASER GUN* was deployed and operated by members of the Southampton Police Department by pointing and shooting at, and/or depressing the hand held weapon directly against the body and person of the decedent DAVID GLOWCZENSKI as the intended target of the weapon.

22. That on February 4, 2004 the taser gun(s) and the electrical charge it delivers was deployed and utilized at least nine (9) separate times, leaving at least eighteen (18) notable burns on the body of DAVID GLOWCZENSKI, and with each deployment issuing an electrical charge of approximately 50,000 volts.

23. That on and/or before February 4, 2004 Defendant Taser had not provided any warning, training, or direction about the potential danger and life threatening injury from the rapid multiple use of the Taser weapon on such persons such as DAVID GLOWCZENSKI.

24. At times prior to February 4, 2004, Defendant, Taser through its agents, employees, board members, representatives and/or designees made claims and agreed with claims about the safety of potential danger of its Taser gun weapons, such as:

- another benefit of the Taser is the lack of injury to the target subject;
- it does no harm;
- no residual effects after the Taser cycle has stopped;
- completely safe
- the device will not stop a person's heart;
- the Taser will incapacitate with any circuit-completing hit with no lasting effects;
- it may be inferred that the risk of inducing ventricular fibrillation by the surface application of the Advanced Taser to a human is very small;
- if the Taser were at fault in an in-custody death, the prisoner would go into cardiac arrest seconds after being shot with a Taser, not minutes;
- the Taser X26/M26 long-term effect on the threat is . . . None;
- no deaths have ever been directly attributed to the Taser;
- the T-Wave does not interrupt the heartbeat;
- the output of the M26 into a human body is a fraction of the dangerous level;
- no reports of a Taser causing death;
- no effect on heart rhythms;

- Taser technology is becoming widely accepted as the premier tool for Crisis Intervention Teams based on its non-injurious effect upon subjects;
- the Advanced Taser will not cause a heart attack or damage a pacemaker;
- the Advanced Taser has never caused a death;
- it becomes apparent that the chances of a random situation in the real world where the Advanced Taser would pose a risk to the heart is minuscule;
- there are no after effects noted other than slight surface irritation of the skin similar to sun burns;
- the electrical emissions from stun type pulse generators, delivered to the body surface in the recommended manner do not cause serious cardiac rhythm abnormalities in the otherwise healthy human heart;
- drive weapon aggressively into subject for best effectiveness;
- it is highly unlikely that a situation in the field would occur where the application of the Taser to the surface of the chest could randomly or spontaneously cause a fatal arrhythmia;
- there has never been a death caused by Taser;
- I know in my heart what the truth is. Taser hasn't killed any of these people;
- no medical examiner or coroner has ever attributed an in-custody death to a Taser;
- no one in the history of Taser usage has ever died during an actual application, and to date no medical examiners have ruled Tasers as a cause of death;
- no cause-and-effect exists between the use of Taser guns and their targets' deaths;
- we stand by the safety of our product. It does not cause death;
- Tasers aren't dangerous. They are just used in dangerous situations;
- had the Taser not been used, all 40 of those people would have died anyway;
- the fact of the matter is that our Taser technology has not been the cause of a single death. Period.

25. That on February 4, 2004, the taser gun had improper and/or inadequate and/or misleading instructions, safety cautions or warnings on it.

26. That on February 4, 2004 the taser gun was operating consistent with the manufacture and specifications relating to said weapon.

27. On February 4, 2004 members of the Southampton Police Department were in possession of Taser weapons created, manufactured, distributed and sold by Defendant, Taser and had each been trained by representatives of Defendant, Taser.

28. Upon information and belief, on February 4, 2004, Plaintiffs' decedent DAVID

GLOWCZENSKI was lawfully walking on North Main Street in Southampton, Suffolk County, New York when he was subjected to the lethal effects of a Taser weapon created, manufactured, distributed and sold by Defendant, Taser which caused him serious and permanent injury including but not limited to death.

29. On February 4, 2004, Defendant Taser, knew or should have known of the dangers posed in deploying the Taser weapon M26 and/or X26 on persons such as DAVID GLOWCZENSKI and failed to warn, educate, instruct and inform members of the Southampton Police Department of serious dangers faced by such persons on whom said weapon would be used.

30. Upon information and belief, members of the Southampton Police Department who came in contact with DAVID GLOWCZENSKI on February 4, 2004 followed the direction, training, instruction and suggestions of Defendant Taser in using the Taser weapon.

31. At that time on February 4, 2004, while in the process of using the Taser weapon against DAVID GLOWCZENSKI, he was caused to be seriously, severely and permanently injured and caused to die.

32. By reason of the defective product, Plaintiffs' decedent was caused to sustain severe and permanent personal injuries and disabilities, including but not limited to death.

33. That said accident was caused by the negligence, carelessness, and recklessness of the Defendant, Taser.

34. Plaintiffs' decedent was made to suffer injury, pain and suffering, disability, disfigurement and death, all of which cannot be reversed.

35. Plaintiffs' decedent and those left to survive him suffered, continue to suffer, and will continue to suffer extreme physical and emotional harm, bodily pain and severe mental anguish, loss

of support, loss of love, affection, nurturing, guidance and direction.

36. By reason of the foregoing, Plaintiffs' decedent's future well-being, happiness, social professional life, earning capacity, rendering of services and consortium to his family, and ability to pursue normal activities have been adversely affected and will remain permanently impaired.

37. Plaintiffs have been required to expend substantial sums of money for appropriate medical care and treatment.

38. Defendant, its agents, servants and/or employees, were negligent in the design, testing, inspection, manufacture, distribution, labeling, marketing, and sale of the product.

39. The injuries and the occurrence herein referred to were caused solely by the negligence of Defendant, Taser with the Plaintiffs' decedent in no way contributing thereto.

40. By reason of the foregoing, Plaintiffs have been damaged in the sum of TEN MILLION DOLLARS (\$10,000,000.00).

AS AND FOR THE SECOND COUNT
(Breach of Implied Warranty)

41. Plaintiff repeats and realleges each and every allegation previously stated in paragraphs 1 through 41 above as fully set out herein.

42. The Defendant, Taser, its agents, servants and/or employees represented and warranted, expressly and impliedly to the plaintiff and members of the general public that the *Model No. "X26" and/or "M26"* Taser gun and all of the component parts, equipment, accessories and related products were safe, of merchantable quality, and fit for the ordinary purposes for which the product was intended to be used.

43. The Plaintiffs and/or members of the public relied upon the skill, knowledge,

judgment, representations, and warranties of the Defendant, Taser, in the manufacture, inspection, testing repair, design, inspection, testing repair, design, distribution, labeling, promotion, education of, marketing and sale of the product.

44. The representations and warranties were false, misleading, and inaccurate in that the product, when put to the test of actual performance, proved to be dangerous, lethal, unsound and unsuitable for the purposes, for which the same was intended or reasonably could be expected to be used.

45. That the Plaintiffs' decedent had no knowledge of the falsity of these representations and warranties.

46. The Defendant breached the implied warranties.

47. That the aforementioned occurrence and the resulting serious personal injuries sustained therefrom by the Plaintiffs' decedent, and the death of Plaintiffs' decedent, on February 4, 2004 were caused solely by the negligence, carelessness and culpable conduct of the defendant herein without any negligence, carelessness or culpable conduct on the part of the Plaintiffs' decedent contributing thereto.

48. By reason of the foregoing, Plaintiffs have been damaged in the sum of TEN MILLION DOLLARS (\$10,000,000.00).

AS AND FOR A THIRD COUNT
(Breach of Express Warranty)

49. Plaintiffs repeat, reiterate, and reallege each and every allegation contained in paragraphs 1 through 49 of this complaint with the same force and effect as if more fully set forth at length herein.

50. Upon information and belief, prior to the use of the Taser weapon on Plaintiffs'

decedent by members of the Southampton Police Department, Defendant, Taser, in order to promote and induce the purchase of its products, expressly warranted by advertisement, literature and other means that users, operators, subjects of the electrical charge of the Taser weapon, could safely use, operate and shock persons without harm or death for the specific purpose of safely apprehending suspects, which was in fact the purpose for which the product was intended.

51. Plaintiffs and Plaintiffs' decedent relied upon the skill, knowledge, judgment, representations and warranties of Defendant Taser as to the use of Defendant's product.

52. The representations were false, misleading and inaccurate in that the product utilized by the Southampton Police, when put to the test of actual performance, was and proved to be, deadly, unsound, unsafe and unsuitable for the purposes for which it was intended and reasonably could be expected to be used.

53. The product was unsafe, dangerous, defective, and not of merchantable quality.

54. The Defendant, Taser, breached the express warranties.

55. Plaintiffs' decedent's injuries were proximately caused by the breach of express warranties of defendant.

56. By reason of the foregoing, Plaintiffs have been damaged in the sum of TEN MILLION DOLLARS (\$10,000,000.00).

AS AND FOR A FOURTH COUNT
(Strict Product Liability)

57. Plaintiff repeats, reiterates, and realleges each and every allegation contained in paragraphs 1 through 57 of this complaint with the same force and effect as if more fully set forth at length herein.

58. Defendant is engaged in the business of selling, developing, assembling and marketing energy weapons primarily for use in the law enforcement, corrections, private security and personal defense market.

59. The product/weapon utilized on Plaintiffs' decedent was in a defective condition which was dangerous to users or operators, and in particular to persons on whom the weapon/product was used such as Plaintiffs' decedent.

60. Defendants were otherwise negligent and carelessness. Defendant herein, its servants, agents and/or employees were negligent and careless in failing to properly design, manufacture, test, promote, advertise, market, and warn about the aforementioned product/weapon known as *Model No. "X26" and/or "M26"* Taser gun and were negligent and careless in the warning, design, testing, inspection, installation, assembling, construction, manufacturer, distribution, labeling, sales promotion, selling, maintenance, service and/or repair of the *Model No. "X26" and/or "M26"* taser gun and all of the component parts, equipment accessories and related products which were not safe for the intended purpose and were not free from design and manufacturer's defects and which failed to give adequate warnings, notice, educational information and directions for safety and use and the Defendant, Taser, was otherwise negligent and careless.

61. The product failed to perform in accordance with the expectations of the Plaintiffs.

62. The defective condition which caused the injuries to Plaintiffs' decedent were not open and obvious and could not have been ascertained or known to the plaintiff or have been perceived as dangerous by the exercise of reasonable care and the dangers and defects in said Taser weapons were inherent.

63. At the time of the occurrence herein, the product was being used for the purpose and

in the manner normally intended and reasonably could be expected to be used, and the Plaintiff was unaware of any design or manufacturing defects or inadequate warnings or directions for use or of any danger associated with the product's use.

64. The Defendant sold the product to Southampton in a defective condition unreasonably dangerous to Plaintiffs' decedent and all persons similarly situated to Plaintiffs' decedent.

65. As a proximate cause of Defendant's sale of the defective *Model No. "X26" and/or "M26"* taser gun, Plaintiffs' decedent sustained personal serious, permanent injuries and was caused to die.

66. Defendant is strictly liable to Plaintiffs for the injuries and death suffered.

67. By reason of the foregoing, Plaintiffs have been damaged in the sum of TEN MILLION DOLLARS (\$10,000,000.00).

AS AND FOR A FIFTH COUNT
(Wrongful Death)

68. Plaintiffs repeat, reiterate, and reallege the allegations set forth in ¶¶ 1 through 68 inclusive, of this complaint, with the same force and effect as though herein fully set forth.

69. That by reason of the foregoing, Plaintiffs' decedent was caused to die.

70. That by reason of Plaintiffs' decedent's death, Plaintiff have been deprived of financial and emotional support, companionship, love, affection, nurturing and guidance and other things as children.

71. As a result of defendants' acts, plaintiffs suffered and are entitled to damages sustained to date and continuing in excess of the amount of \$10,000,000, as well as punitive damages, costs and attorney's fees.

WHEREFORE, Plaintiff demands judgement against Defendant as follows:

1. On the first count in the sum of TEN MILLION DOLLARS (\$10,000,000.00).
2. On the second count in the sum of TEN MILLION DOLLARS (\$10,000,000.00).
3. On the third count in the sum of TEN MILLION DOLLARS (\$10,000,000.00).
4. On the fourth count in the sum of TEN MILLION DOLLARS (\$10,000,000.00).
5. On the fifth count in the sum of TEN MILLION DOLLARS (\$10,000,000.00).
6. Punitive damages in the amount of FIVE HUNDRED MILLION DOLLARS (\$500,000,000.00);
7. Costs and disbursements of this action and such other relief, including attorneys fees, as this court deems proper.

PLAINTIFFS DEMAND TRIAL BY JURY

Dated: September 20, 2004
Hempstead, New York

Yours, etc.,

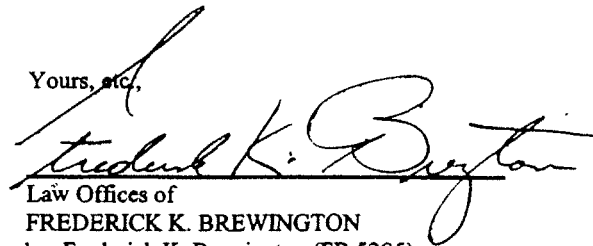

Law Offices of
FREDERICK K. BREWINGTON
by: Frederick K. Brewington (FB 5295)
Attorneys for Plaintiffs
50 Clinton Street, Suite 501
Hempstead, New York 11550
(516) 489-6959

EXHIBIT B

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MARY JANE GLOWCZENSKI and JEAN GRIFFIN,
Individually and as the Co-Administratrix of the
Estate of DAVID GLOWCZENSKI,

No. CV. 04 4052(SJF)(MJW)

ECF Case

Plaintiff(s),

-against-

ANSWER

TASER INTERNATIONAL INCORPORATED

Defendant(s).
-----X

JOSEPH A. MARIA, P.C., as attorneys for TASER INTERNATIONAL
INCORPORATED, answer the complaint of the plaintiff as follows:

FIRST: Denies each and every allegation contained in paragraphs designated: 2, 7, 23, 24, 25, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 44, 45, 46, 47, 48, 51, 52, 53, 55, 56, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, and 71.

SECOND: Denies knowledge and information to form a belief as to each and every allegation contained in paragraphs designated: 1, 3, 4, 8, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 43, 50, and 58.

THIRD: Denies each and every allegation, but leaves all question of law to the Court, in paragraphs designated: 6, 12, 14, 15, 16, 42, and 54.

FOURTH: This answering defendant repeats and realleges all of the above denials and denies knowledge and information set forth in paragraphs designated: 13, 41, 49, 57, and 68.

AS AND FOR A FIRST SEPARATE AFFIRMATIVE COMPLETE
AND OR PARTIAL DEFENSE, THE DEFENDANT, TASER
INTERNATIONAL, INC., ALLEGES:

FIFTH: The plaintiff's Complaint fails to set forth facts sufficient upon which to base a cause of action against the defendant, **TASER INTERNATIONAL, INC.**

SIXTH: As a result of the foregoing, the plaintiff's complaint must be dismissed as a matter of law.

AS AND FOR A SECOND SEPARTE AFFIRMATIVE COMPLETE
AND OR PARTIAL DEFENSE, THE DEFENDANT, TASER
INTERNATIONAL, INC., ALLEGES:

SEVENTH: There was no negligence, fault or culpable conduct on the part of the defendant, **TASER INTERNATIONAL, INC.**, causing the damages alleged in the complaint; furthermore, there was contributory negligence, assumption of risk, contributory fault and/or culpable conduct attributable to the plaintiff, to the extent of total and/or partial diminution of damages alleged in the complaint.

AS AND FOR A THIRD SEPARTE AFFIRMATIVE COMPLETE
AND OR PARTIAL DEFENSE, THE DEFENDANT, TASER
INTERNATIONAL, INC., ALLEGES:

EIGHTH: Plaintiff's complaint fails to plead facts sufficient to constitute a cause of action for negligence, strict products liability or strict liability in tort against the defendant, **TASER INTERNATIONAL, INC.**, and fails to plead facts of product defect extant at the time of manufacture and sale of the alleged product.

NINTH: By reason of the aforesaid, plaintiff's complaint must be dismissed.

AS AND FOR A FOURTH SEPARTE AFFIRMATIVE COMPLETE
AND OR PARTIAL DEFENSE, THE DEFENDANT, TASER
INTERNATIONAL, INC., ALLEGES:

TENTH: **TASER INTERNATIONAL, INC.** is a foreign corporation with its principal place of business in the State of Arizona.

TWELFTH: TASER INTERNATIONAL, INC., designs, tests, manufactures, distributes and markets certain electronic use of force tools or conducted energy tools, including a product with the trade name Taser M26 which plaintiff alleges was involved in an incident with the plaintiff.

THIRTEENTH: Said product was properly and lawfully manufactured, sold and distributed to various municipal and law enforcement agencies among other vendees.

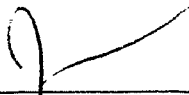
FOURTEENTH: Said product, when properly used, is fully in accord with reasonably safe electronic use of force tools and/or conducted energy tools reasonably utilized by police or municipal agencies for lawful and necessary purposes.

FIFTEENTH: Any and all claims by the plaintiff of serious injury or serious sequela of injury are solely due to the plaintiff's own conduct and not as a result of any claimed defect in the design, manufacture or sale of the alleged product.

SIXTEENTH: By reason of the aforesaid, plaintiff's complaint lacks legal merit and should be dismissed.

WHEREFORE, defendant demands judgment dismissing the plaintiff's complaint herein, together with the costs and disbursements of this action.

Dated: White Plains, New York
10/18/2004



Joseph A. Maria (0209)

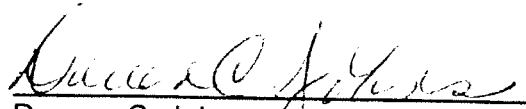
JOSEPH A. MARIA, P.C.
Attorneys for Defendant(s)
TASER INTERNATIONAL INCORPORATED
301 Old Tarrytown Road
White Plains, New York 10603
(914) 684-0333
Our File No. 25-0001(dj)

STATE OF NEW YORK
COUNTY OF WESTCHESTER

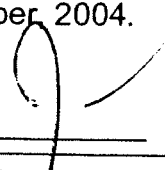
Doreen C. Johns being sworn says: I am not a party to the action, am over 18 years of age and reside at Bronx, New York.

On 10/21/04, I served a true copy of the annexed answer in the following manner by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the United States Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

TO: Law Offices of Frederick K. Brewington
Attorney(s) for Plaintiff(s)
50 Clinton Street, Suite 501
Hempstead, New York 11550


Doreen C. Johns

Sworn to before me on the
22nd day of October, 2004.



JOSEPH A. MARIA
Notary Public, State of New York
No. 02MA5018434
Qualified in Westchester County
Commission Expires September 27, 2005

EXHIBIT C

Prehospital Care Report 7-18-80

DATE OF CALL 02 04 14		TIME 18:02		4-8575556		AGENCY CODE 05100		VEH. NO. 213411		10242	
Name: D. H. G. L. A. K.				Agency Name: E. N. V. A.				MILEAGE			
Address: 1111 11th St.				Dispatch Information: E. L. P.				CALL REC'D 154			
City: N. M. S. T. Y. O. L. H.				Call Location: N. M. S. T. Y. O. L. H.				ENROUTE 104			
PH #				CHECK ONE: <input type="checkbox"/> Residence <input type="checkbox"/> Health Facility <input type="checkbox"/> Farm <input type="checkbox"/> Indian Agency <input type="checkbox"/> Other				ARRIVED AT SCENE 104			
AGE 35 SEX M				CHECK ONE: <input type="checkbox"/> Emergency <input type="checkbox"/> Non-Emergency <input type="checkbox"/> Stand-by				FROM SCENE 105			
Physician: L. P. R. O. N.				COMPLETE FOR TRANSFERS ONLY				AT DESTIN 105			
CARE IN PROGRESS ON ARRIVAL: <input type="checkbox"/> None <input type="checkbox"/> Citizen <input checked="" type="checkbox"/> PD/FO/Other First Responder <input type="checkbox"/> Other EMS				Previous PCR Number: 0-000000				IN SERVICE 105			
MECHANISM OF INJURY: <input checked="" type="checkbox"/> MVA <input type="checkbox"/> Struck by vehicle				Previous PCR Number: 0-000000				IN QUARTERS 103			
SUBJECTIVE ASSESSMENT				EXTRICATION required: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown				Sent Out by: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			
CHIEF COMPLAINT				SUBJECTIVE ASSESSMENT				Sent Out by: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown			
PRESENTING PROBLEM											
<input type="checkbox"/> Allergic Reaction <input type="checkbox"/> Unconscious/Unresp. <input type="checkbox"/> Shock <input type="checkbox"/> Major Trauma <input type="checkbox"/> OB/GYN <input type="checkbox"/> Syncope <input type="checkbox"/> Seizure <input type="checkbox"/> Head Injury <input type="checkbox"/> Trauma-Blunt <input type="checkbox"/> Burns <input type="checkbox"/> Stroke/CVA <input type="checkbox"/> Behavioral Disorder <input type="checkbox"/> Spinal Injury <input type="checkbox"/> Trauma-Penetrating <input type="checkbox"/> Environmental <input type="checkbox"/> General Illness/Malaise <input type="checkbox"/> Substance Abuse (Potential) <input type="checkbox"/> Fracture/Dislocation <input type="checkbox"/> Soft Tissue Injury <input type="checkbox"/> Heat <input type="checkbox"/> Gastro-Intestinal Distress <input type="checkbox"/> Poisoning (Accidental) <input type="checkbox"/> Amputation <input type="checkbox"/> Bleeding/Hemorrhage <input type="checkbox"/> Cold <input type="checkbox"/> Diabetic Related (Potential) <input type="checkbox"/> Other <input type="checkbox"/> Obvious Death											
PAST MEDICAL HISTORY											
<input type="checkbox"/> None <input type="checkbox"/> Allergy to <input type="checkbox"/> Stroke <input type="checkbox"/> Diabetes <input type="checkbox"/> Cardiac <input type="checkbox"/> Asthma <input type="checkbox"/> COPD <input type="checkbox"/> Other (List)											
Current Medications (List)											
VITAL SIGNS											
TIME		RESP		PULSE		B.P.		LEVEL OF CONSCIOUSNESS		GCS	
18:45		Rate: 0		Rate: 0		0/0		Alert Voice Pain Unresp		3	
10:00		Rate: 0		Rate: 0		0/0		Alert Voice Pain Unresp		3	
10:00		Rate: 0		Rate: 0		0/0		Alert Voice Pain Unresp		3	
OBJECTIVE PHYSICAL ASSESSMENT											
P4 present, no P4 on 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211st, 212nd, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 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728th, 729th, 730th, 731st, 732nd, 733rd, 734th, 735th, 736th, 737th, 738th, 739th, 740th, 741st, 742nd, 743rd, 744th, 745th, 746th, 747th, 748th, 749th, 750th, 751st, 752nd, 753rd, 754th, 755th, 756th, 757th, 758th, 759th, 760th, 761st, 762nd, 763rd, 764th, 765th, 766th, 767th, 768th, 769th, 770th, 771st, 772nd, 773rd, 774th, 775th, 776th, 777th, 778th, 779th, 780th, 781st, 782nd, 783rd, 784th, 785th, 786th, 787th, 788th, 789th, 790th, 791st, 792nd, 793rd, 794th, 795th, 796th, 797th, 798th, 799th, 800th, 801st, 802nd, 803rd, 804th, 805th, 806th, 807th, 808th, 809th, 810th, 811st, 812nd, 813th, 814th, 815th, 816th, 817th, 818th, 819th, 820th, 821st, 822nd, 823rd, 824th, 825th, 826th, 827th, 828th, 829th, 830th, 831st, 832nd, 833rd, 834th, 835th, 836th, 837th, 838th, 839th, 840th, 841st, 842nd, 843rd, 844th, 845th, 846th, 847th, 848th, 849th, 850th, 851st, 852nd, 853rd, 854th, 855th, 856th, 857th, 858th, 859th, 860th, 861st, 862nd, 863rd, 864th, 865th, 866th, 867th, 868th, 869th, 870th, 871st, 872nd, 873rd, 874th, 875th, 876th, 877th, 878th, 879th, 880th, 881st, 882nd, 883rd, 884th, 885th, 886th, 887th, 888th, 889th, 890th, 891st, 892nd, 893rd, 894th, 895th, 896th, 897th, 898th, 899th, 900th, 901st, 902nd, 903rd, 904th, 905th, 906th, 907th, 908th, 909th, 910th, 911st, 912nd, 913th, 914th, 915th, 916th, 917th, 918th, 919th, 920th, 921st, 922nd, 923rd, 924th, 925th, 926th, 927th, 928th, 929th, 930th, 931st, 932nd, 933rd, 934th, 935th, 936th, 937th, 938th, 939th, 940th, 941st, 942nd, 943rd, 944th, 945th, 946th, 947th, 948th, 949th, 950th, 951st, 952nd, 953rd, 954th, 955th, 956th, 957th, 958th, 959th, 960th, 961st, 962nd, 963rd, 964th, 965th, 966th, 967th, 968th, 969th, 970th, 971st, 972nd, 973rd, 974th, 975th, 976th, 977th, 978th, 979th, 980th, 981st, 982nd, 983rd, 984th, 985th, 986th, 987th, 988th, 989th, 990th, 991st, 992nd, 993rd, 994th, 995th, 996th, 997th, 998th, 999th, 1000th, 1001st, 1002nd, 1003rd, 1004th, 1005th, 1006th, 1007th, 1008th, 1009th, 1010th, 1011st, 1012nd, 1013th, 1014th, 1015th, 1016th, 1017th, 1018th, 1019th, 1020th, 1021st, 1022nd, 1023rd, 1024th, 1025th, 1026th, 1027th, 1028th, 1029th, 1030th, 1031st, 1032nd, 1033rd, 1034th, 1035th, 1036th, 1037th, 1038th, 1039th, 1040th, 1041st, 1042nd, 1043rd, 1044th, 1045th, 1046th, 1047th, 1048th, 1049th, 1050th, 1051st, 1052nd, 1053rd, 1054th, 1055th, 1056th, 1057th, 1058th, 1059th, 1060th, 1061st, 1062nd, 1063rd, 1064th, 1065th, 1066th, 1067th, 1068th, 1069th, 1070th, 1071st, 1072nd, 1073rd, 1074th, 1075th, 1076th, 1077th, 1078th, 1079th, 1080th, 1081st, 1082nd, 1083rd, 1084th, 1085th, 1086th, 1087th, 1088th, 1089th, 1090th, 1091st, 1092nd, 1093rd, 1094th, 1095th, 1096th, 1097th, 1098th, 1099th, 1100th, 1101st, 1102nd, 1103rd, 1104th, 1105th, 1106th, 1107th, 1108th, 1109th, 1110th, 1111st, 1112nd, 1113th, 1114th, 1115th, 1116th, 1117th, 1118th, 1119th, 1120th, 1121st, 1122nd, 1123rd, 1124th, 1125th, 1126th, 1127th, 1128th, 1129th, 1130th, 1131st, 1132nd, 1133rd, 1134th, 1135th, 1136th, 1137th, 1138th, 1139th, 1140th, 1141st, 1142nd, 1143rd, 1144th, 1145th, 1146th, 1147th, 1148th, 1149th, 1150th, 1151st, 1152nd, 1153rd, 1154th, 1155th, 1156th, 1157th, 1158th, 1159th, 1160th, 1161st, 1162nd, 1163rd, 1164th, 1165th, 1166th, 1167th, 1168th, 1169th, 1170th, 1171st, 1172nd, 1173rd, 1174th, 1175th, 1176th, 1177th, 1178th, 1179th, 1180th, 1181st, 1182nd, 1183rd, 1184th, 1185th, 1186th, 1187th, 1188th, 1189th, 1190th, 1191st, 1192nd, 1193rd, 1194th, 1195th, 1196th, 1197th, 1198th, 1199th, 1200th, 1201st, 1202nd, 1203rd, 1204th, 1205th, 1206th, 1207th, 1208th, 1209th, 1210th, 1211st, 1212nd, 1213th, 1214th, 1215th, 1216th, 1217th, 1218th, 1219th, 1220th, 1221st, 1222nd, 1223rd, 1224th, 1225th, 1226th, 1227th, 1228th, 1229th, 1230th, 1231st, 1232nd, 1233rd, 1234th, 1235th, 1236th, 1237th, 1238th, 1239th, 1240th, 1241st, 1242nd, 1243rd, 1244th, 1245th, 1246th, 1247th, 1248th, 1249th, 1250th, 1251st, 1252nd, 1253rd, 1254th, 1255th, 1256th, 1257th, 1258th, 1259th, 1260th, 1261st, 1262nd, 1263rd, 1264th, 1265th, 1266th, 1267th, 1268th, 1269th, 1270th, 1271st, 1272nd, 1273rd, 1274th, 1275th, 1276th, 1277th, 1278th, 1279th, 1280th, 1281st, 1282nd, 1283rd, 1284th, 1285th, 1286th, 1287th, 1288th, 1289th, 1290th, 1291st, 1292nd, 1293rd, 1294th, 1295th, 1296th, 1297th, 1298th, 1299th, 1300th, 1301st, 1302nd, 1303rd, 1304th, 1305th, 1306th, 1307th, 1308th, 1309th, 1310th, 1311st, 1312nd, 1313th, 1314th, 1315th, 1316th, 1317th, 1318th, 1319th, 1320th, 1321st, 1322nd, 1323rd, 1324th, 1325th, 1326th, 1327th, 1328th, 1329th, 1330th, 1331st, 1332nd, 1333rd, 1334th, 1335th, 1336th, 1337th, 1338th, 1339th, 1340th, 1341st, 1342nd, 1343rd, 1344th, 1345th, 1346th, 1347th, 1348th, 1349th, 1350th, 1351st, 1352nd, 1353rd, 1354th, 1355th, 1356th, 1357th, 1358th, 1359th, 1360th, 1361st, 1362nd, 1363rd, 1364th, 1365th, 1366th, 1367th, 1368th, 1369th, 1370th, 1371st, 1372nd, 1373rd, 1374th, 1375th, 1376th, 1377th, 1378th, 1379th, 1380th, 1381st, 1382nd, 1383rd, 1384th, 1385th, 1386th, 1387th, 1388th, 1389th, 1390th, 1391st, 1392nd, 1393rd, 1394th, 1395th, 1396th, 1397th, 1398th, 1399th, 1400th, 1401st, 1402nd, 1403rd, 1404th, 1405th, 1406th, 1407th, 1408th, 1409th, 1410th, 1411st, 1412nd, 1413th, 1414th, 1415th, 1416th, 1417th, 1418th, 1419th, 1420th, 1421st, 1422nd, 1423rd, 1424th, 1425th, 1426th, 1427th, 1428th, 1429th, 1430th, 1431st, 1432nd, 1433rd, 1434th, 1435th, 1436th, 1437th, 1438th, 1439th, 1440th, 1441st, 1442nd, 1443rd, 1444th, 1445th, 1446th, 1447th, 1448th, 1449th, 1450th, 1451st, 1452nd, 1453rd, 1454th, 1455th, 1456th, 1457th, 1458th, 1459th, 1460th, 1461st, 1462nd, 1463rd, 1464th, 1465th, 1466th, 1467th, 1468th, 1469th, 1470th, 1471st, 1472nd, 1473rd, 1474th, 1475th, 1476th, 1477th, 1478th, 1479th, 1480th, 1481st, 1482nd, 1483rd, 1484th, 1485th, 1486th, 1487th, 1488th, 1489th, 1490th, 1491st, 1492nd, 1493rd, 1494th, 1495th, 1496th, 1497th, 1498th, 1499th, 1500th, 1501st, 1502nd, 1503rd, 1504th, 1505th, 1506th, 1507th, 1508th, 1509th, 1510th, 1511st, 1512nd, 1513th, 1514th, 1515th, 1516th, 1517th, 1518th, 1519th, 1520th, 1521st, 1522nd, 1523rd, 1524th, 1525th, 1526th, 1527th, 1528th, 1529th, 1530th, 1531st, 1532nd, 1533rd, 1534th, 1535th, 1536th, 1537th, 1538th, 1539th, 1540th, 1541st, 1542nd, 1543rd, 1544th, 1545th, 1546th, 1547th, 1548th, 1549th, 1550th, 1551st, 1552nd, 1553rd, 1554th, 1555th, 1556th, 1557th, 1558th, 1559th, 1560th, 1561st, 1562nd, 1563rd, 1564th, 1565th, 1566th, 1567th, 1568th, 1569th, 1570th, 1571st, 1572nd, 1573rd, 1574th, 1575th, 1576th, 1577th, 1578th, 1579th, 1580th, 1581st, 1582nd, 1583rd, 1584th, 1585th, 1586th, 1587th, 1588th, 1589th, 1590th, 1591st, 1592nd, 1593rd, 1594th, 1595th, 1596th, 1597th, 1598th, 1599th, 1600th, 1601st, 1602nd, 1603rd, 1604th, 1605th, 1606th, 1607th, 1608th, 1609th, 1610th, 1611st, 1612nd, 1613th, 1614th, 1615th, 1616th, 1617th, 1618th, 1619th, 1620th, 1621st, 1622nd, 1623rd, 1624th, 1625th, 1626th, 1627th, 1628th, 1629th, 1630th, 1631st, 1632nd, 1633rd, 1634th, 1635th, 1636th, 1637th, 1638th, 1639th, 1640th, 1641st, 1642nd, 1643rd, 1644th, 1645th, 1646th, 1647th, 1648th, 1649th, 1650th, 1651st, 1652nd, 1653rd, 1654th, 1655th, 1656th, 1657th, 1658th, 1659th, 1660th, 1661st, 1											

EXHIBIT D

SOUTHAMPTON HOSPITAL

PO BOX 139

LAURUM

NY 11948

SUB TYPE		SERVICE		EMERGENCY ROOM • OUTPATIENT RECORD									
PATIENT NUMBER	TYPE	PATIENT NAME		AGE	BIRTHDATE	SEX	M/S	DATE OF SERVICE	TIME	CLERK INIT.			
726720	3	GLOWCZENSKI DAVID		35	4/19/1968	M	SW	2/04/04	11:04	SES			
ADDRESS - LINE 1		ADDRESS - LINE 2		CITY		STATE	ZIP CODE		TELEPHONE				
70 LAYTON AVE				SOUTHAMPTON		NY	11968		631-283-1487				
PATIENT SSAN		NOTIFY IN CASE OF EMERGENCY - NAME		RELATIONSHIP		ADDRESS		TELEPHONE					
067668635		GLOWCZENSKI MARYJANE		MOTHER				283-1487					
INSURANCE COMPANY				CONTRACT OR GROUP NUMBER		DATE		PLACE					
MEDICARE A				067668635A									
MEDICAID				AP37794W									
GUARANTOR NAME				GUARANTOR ADDRESS		CITY		STATE	ZIP CODE	GUAR. TELEPHONE			
GLOWCZENSKI DAVID				70 LAYTON AVE		SOUTHAMPTON		NY	11968	283-1487			
GUARANTOR EMPLOYER				GUARANTOR OCCUPATION		GUAR. EMPLOYER ADDRESS		GUAR. EMP. TELEPHONE					
DISABILITY						DIS							
PREV. SERVICE		PREV. SERV. DATE		IF MINOR - PARENT NAME		MED. REC. #		ADMITTING/IND PHYSICIAN					
723858		1/27/04				184201		AMERES M /AMERES M					
CHARGES	X-RAY	LAB	RESP. TH.	PHY. TH.	ENG	I.V.	DRUGS	SUPPLIES	OTHER	M.D.	N.R. RM	TOTAL DUE	

AUTHORIZATION FOR TREATMENT, GUARANTEE OF PAYMENT, ASSIGNMENT OF INSURANCE BENEFITS

- The undersigned has been informed of the emergency treatment considered necessary for the above named patient, and that treatment and procedures will be performed by physicians, members of house staff and employees of the hospital. Authorization is hereby granted for such treatment and procedures. The undersigned has read the above authorization and understands the same and certifies that no guarantee or insurance has been made as to the results that may be obtained.
- The undersigned agrees to pay for services rendered by Hospital upon release of patient.
- I/we hereby assign any hospital benefits, sick benefits, injury benefits due to a liability of a third party, payable by any party, for the above patient, to Hospital unless I pay the account in full upon release of patient.
- I/we hereby authorize the Administrator of Hospital to furnish from its records any information requested by the before mentioned insurance companies in connection with the above assignment. I do hereby appoint the Controller of Hospital as my lawful attorney to endorse for me any checks made payable to me for benefits or claims collected under the above assignment and to apply any credit balance to any other account I may owe said hospital.

DATE _____ TIME _____ SIGNED PATIENT _____ SIGNED GUARANTOR _____
 CHIEF COMPLAINT (If Accident State How, When, and Where)
 UNRESPONSIVE

TEMP.	PULSE	RESP.	B/P	ALLERGIES	MEDICATIONS - NONE	N.R. PHYSICIAN	TST. TOX.
-------	-------	-------	-----	-----------	--------------------	----------------	-----------

NURSES NOTES:

LAB DATA (Including X-Ray, EKG, etc.)

PHYSICIAN'S REPORT

DIAGNOSIS:

TREATMENT:

INSTRUCTIONS TO PATIENT:

CONDITION ON DISC
IMP STABLE EXPIRED

FOLLOW-UP WITH

N.D.

Glowaczewski, Dawid

189201

EMERGENCY DEPARTMENT RECORD

VITAL SIGNS

PT PAIN COMFORT GOAL (0-10)

PT.

WGHT.

'bs.

Ka

[illegible]PT/FAMILY ORIENTED TO ED ☐

CALL BELL GIVEN AND WITHIN REACH OF PT ☐

FILE/FAMILY ORIENTED

Dee Tracena

IV - Sol:

Gauge:

Sta:

Time:

RN

[illegible]

DISCHARGE INSTRUCTIONS: ☐ PATIENT / FAMILY VERBALIZES UNDERSTANDING OF DISCHARGE INSTRUCTIONS

☐ Follow up with your primary physician within _____ days.☐ Follow up with _____ within _____ days. Phone: _____

If you have no primary physician please ask for a list of local primary physicians or follow up with the clinic (631) 852-8852 (Southampton) or (631) 852-1801 (Riverhead).

☒ Follow up sooner with your primary physician or return to the Emergency Department if symptoms worsen, if symptoms fail to resolve promptly, or if new symptoms develop, including:

☐ Instruction Sheet Given:

I HAVE RECEIVED AND UNDERSTAND THE PATIENT INSTRUCTIONS GIVEN TO ME. (Also see reverse side of this sheet for additional instructions).

PATIENT/GUARDIAN SIGNATURE: _____

DATE _____

000542

SOUTHAMPTON HOSPITAL

Member of Western Health Corporation
270 MEETING HOUSE LANE, SOUTHAMPTON, NY 11968

EMERGENCY DEPARTMENT RECORD

PATIENT NAME: Stowicz, David DOB: 4-19-68 AGE: 35 ER PATIENT ID NO: 164201 DATE: 2-4-04 PRIMARY PHYSICIAN: _____

CHIEF COMPLAINT: _____

ALLERGIES: _____

PMHx: _____

CURRENT MEDS: _____

See trauma sheet

MODE OF ARRIVAL: ☐ SELF ☐ POLICE ☐ EMS
OTHER: _____

		TIME BEEN	TEMP	PULSE	RESP	BP	PULSE OX	STATUS	WGT	WEIGHT / KG
										Adult <input type="checkbox"/> Actual <input type="checkbox"/> Stated Infant/Child <input type="checkbox"/> Weight - dressed <input type="checkbox"/> Weight - undressed <input type="checkbox"/> Other
TRIAGE NURSE										TRIAGE LEVEL <input type="checkbox"/> I <input type="checkbox"/> II <input type="checkbox"/> III <input type="checkbox"/> IV PAIN SCALE (1-10) TRIAGE NURSE: _____ PRIMARY NURSE: _____
PHYSICIAN'S ORDERS		<input type="checkbox"/> CBC <input type="checkbox"/> BMP <input type="checkbox"/> PT/PTT <input type="checkbox"/> Cardiac Enzymes <input type="checkbox"/> Troponin <input type="checkbox"/> LFT's <input type="checkbox"/> Amylase <input type="checkbox"/> FS Gluc <input type="checkbox"/> U/A <input type="checkbox"/> EKG <input type="checkbox"/> Serum HCG <input type="checkbox"/> Mg/Phos <input type="checkbox"/> Lyine <input type="checkbox"/> Parasite Smear <input type="checkbox"/> ABG on _____ LEVELS: <input type="checkbox"/> Digoxin <input type="checkbox"/> ASA <input type="checkbox"/> Tylenol <input type="checkbox"/> EtOH <input type="checkbox"/> Theophylline <input type="checkbox"/> Tegratol <input type="checkbox"/> Dilantin CULTURES: <input type="checkbox"/> Urine <input type="checkbox"/> Sputum <input type="checkbox"/> Blood x 2 <input type="checkbox"/> Gen Probe RADIOLOGY: <input type="checkbox"/> CXR <input type="checkbox"/> PCXR <input type="checkbox"/> ABD x 2 <input type="checkbox"/> CS spine <input type="checkbox"/> Pelvis <input type="checkbox"/> Old Records <input type="checkbox"/> Cardiac Monitor Oxygen: _____ IV: <u>D50 1 amp IV x 2</u> Other: <u>Spi #1 IV</u> <u>Amp 1 mg IV</u> <u>Spi #1 IV</u> <u>Amp 1 mg IV</u> <u>Epi 1 mg IV</u> <u>Amp 1 mg IV</u> <u>Bicarb 1 amp IV</u> <u>Mg 1 amp IV</u>								
	TREATMENT: <input type="checkbox"/> Splint: long short <input type="checkbox"/> Wrist splint <input type="checkbox"/> Finger splint <input type="checkbox"/> Crutches & instruct <input type="checkbox"/> Cane & instruct <input type="checkbox"/> Knee Immobilizer <input type="checkbox"/> ACE <input type="checkbox"/> Ice <input type="checkbox"/> Sling <input type="checkbox"/> Wound Care <input type="checkbox"/> Sterile dressing Orders reviewed for completeness by RN _____ Signature _____									
CONSULT	Name	Service	Time Called	Repeat Call	Return Call					
					000543					
DISPOSITION	<input type="checkbox"/> Treated and Released		Condition on Discharge: <input type="checkbox"/> Stable <input type="checkbox"/> Fair <input type="checkbox"/> Serious <input type="checkbox"/> Critical		Time:					
	<input type="checkbox"/> DOA <input type="checkbox"/> LWT <input type="checkbox"/> AMA <input type="checkbox"/> LWOT	<input type="checkbox"/> Code	Time Pronounced	<input type="checkbox"/> Transfer to						

HOSPITAL
A member of Phoenix Health Corporation
100 EASTERN AVENUE, SUITE 1000
PHOENIX, AZ 85012

EMERGENCY DEPARTMENT RECORD

PT: Glordezensti, David MR#: 184201

AM/CC/HPI

procedure note

PM

CC: cardiac arrest

35 y.o. male cardiac arrest. Found collapsed by police
resuscitated with ACLS, nasogastric tube + tube
+ transported to hospital in ambulance. Arrived in ER
no sign of life. intubated by me. ACLS protocol for
1 episode of V-fib on monitor 2001 - 1:30 pm.

Pt unable to provide history UnstableMEDS: ☐ None ☐ NotedAllergy: ☐ NKAPMH: ☐ None HTN CAD DM CA RAD/COPD CVA Other:

pt will leave to ER - Brillefornet

FH: CAD DM CA

SH: Tab Wic Drugs EtOH Occupation:

ROS	Key: circled = positive crossed off = negative	PHYSICAL EXAM	<input checked="" type="checkbox"/> VITAL SIGNS NOTED
Gen	fever chills fatigue	Distress: NAD min mod mkd obese cachexia lethargy	<u>Unresponsive</u>
Eye	pain pruritis diplopia ↓ vision photophobia discharge	eoml perit fundus: nl lids: nl FB conjunct: <u>nl</u> eryth pallor icteric	<u>for eld detail</u>
ENT	Pain: ear throat hoarseness Discharge: ear nasal epistaxis	TM: nl eryth <u>mm</u> dry eryth axud thyroid: <u>mm</u>	<u>abuse to face</u>
Neck	Pain mass	Neck: <u>supple</u> <u>full ROM</u> tender JVD trachea: <u>midline</u> carotid bruit	<u>except to @ fork.</u>
Resp	cough sputum <u>hemoptysis</u>	Chest: tender retractions Lung: CTA <u>rales wheezes</u> rhonchi	<u>except to both wrists</u>
CV	chest pain palpitations syncope orthopnea PND edema lightheaded	Cor: <u>reg</u> <u>thr</u> <u>thr</u> gallop Pulse: radial nl temporal nl	<u>except + Arms + both knees.</u>
GI	abdominal pain anorexia nausea vomiting hematemesis constipation diarrhea melena	Abd: <u>soft</u> tender rnd guard <u>WD</u> Murph: <u>+</u> Rov: <u>+</u> psoas: <u>+</u> HSM Rectal: nl tone Heme:	
GU	dysuria hematuria frequency urgency Discharge: penile vaginal vaginal bleeding incontinence	Penis: nl Scrotum: <u>nl</u> Vagina: nl Cx: nl CMT Uterus: nl tender Adnexa: nl	
MS	Joint: pain swelling redness Back pain Extremity: pain swelling	Back: tender CVAT <u>+</u> Ext: tender <u>adema</u>	
Skin	rash pruritis diaphoresis bruising	warm cool dry moist eryth Rash	
Neuro	headache weakness vertigo altered: speech vision sensation tremor ataxia seizure	AAO x <u>nl</u> CN II-XII intact Sens: nl Motor: nl Coord: <u>+</u> nl Gait: nl Reflexes: nl	<u>no motion.</u>
Heme Endo	polydipsia polyuria HIV risk factors Intolerance: heat cold lick bite	Lymphadenopathy: neck axillary inguinal HSM pallor petechiae	
Psych	anxiety depression insomnia mania suicidal homicidal hallucinations	Affect: nl flat anxious delusions Insight/Judgement: nl Impaired	

Proc ET intubation

intubated #8.0 ET tube
corder, visualized
cuff inflated + @ 2 cm contour
Secured in place.

ECG:

X-Ray:

Arrest - Mont - 1:30 pm Leptinide 1/4 tab ~ 1 min.

000544

AS = 441 after Glucose administration

Repeat Exam

Time of Exam: 11:20 pmOld Chart Reviewed Case D/W: ME

Impression:

Signature

SOUTHAMPTON HOSPITAL

EMERGENT / URGENT / TRAUMA DOCUMENTATION FORM

ARRIVED BY: ☒ AMBULANCE ☐ WALK-IN ☐ W/C ☐ OTHERNAME Glownczewski David DATE 11/30/09 TIME OF ARRIVAL 1104AGE 35 WEIGHT unknown LAST MEAL unknown LAST TETANUS unknown

ALLERGIES

PATIENT'S STATED COMPLAINT: full arrestPATIENT'S MEDICAL HISTORY/MEDICATIONS: FDDM?

	GENERAL SURGEON	OTHER PHYSICIAN	ORTHO SURGEON	OTHER		ADN	C-T	FROM ED
M.D.	<u>Amires</u>	<u>PA Delmar</u>			<u>J. Woo</u>			
NOTIFIED					NOTIFIED			
ARRIVED					AVAILABLE			

SIGNATURES

TRIAGE RN: J. WilsonEXAM NURSE: J. Wilson

MENTAL STATE		AIRWAY/VENTILATION		SKIN		CIRCULATION		IMMOBILIZATION	
<input type="checkbox"/> Alert	<input type="checkbox"/> Oriented	<input type="checkbox"/> Spontaneous	<input type="checkbox"/> Oropharyngeal	<input checked="" type="checkbox"/> Normal	<input type="checkbox"/> Pale	<input type="checkbox"/> No Assist.	<input checked="" type="checkbox"/> CPR	<input type="checkbox"/> Cervical Collar	<input type="checkbox"/> Sandbags
<input type="checkbox"/> Disoriented	<input type="checkbox"/> Confused	<input checked="" type="checkbox"/> Bag Mask	<input type="checkbox"/> Esophageal Airway	<input type="checkbox"/> Cyanotic	<input type="checkbox"/> Diaphoretic	<input type="checkbox"/> MAST Suit	<input type="checkbox"/> Pedal Edema	<input checked="" type="checkbox"/> Long Spineboard	<input type="checkbox"/> Splints
<input type="checkbox"/> Vocal Stimulation	<input type="checkbox"/> Painful Stimulation	<input type="checkbox"/> Endotracheal Tube	<input type="checkbox"/> Oxygen	<input type="checkbox"/> Hot	<input type="checkbox"/> Cool	<input type="checkbox"/> Neck Vein Distention			
<input type="checkbox"/> Decorticate	<input type="checkbox"/> Decerebrate	<input type="checkbox"/> Mask	<input type="checkbox"/> Cannula						
<input checked="" type="checkbox"/> Flaccid									

PUPILS		CHEST		ABDOMEN		PULSES (Present)		LOSS OF CONSCIOUSNESS	
L	R	<input type="checkbox"/> Clear	<input type="checkbox"/> Pain	<input checked="" type="checkbox"/> Normal	<input type="checkbox"/> Tender	L	R	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Reactive	<input type="checkbox"/> Fixed	<input type="checkbox"/> L	<input type="checkbox"/> R	<input type="checkbox"/> LUQ	<input type="checkbox"/> RUQ	<input type="checkbox"/> Carotid	<input type="checkbox"/> Femoral		
<input checked="" type="checkbox"/> Fixed	<input type="checkbox"/> Dilated	<input type="checkbox"/> Sides	<input type="checkbox"/> Wheezes	<input type="checkbox"/> UO	<input type="checkbox"/> RIG	<input type="checkbox"/> Pedal	<input type="checkbox"/> Radial		
<input type="checkbox"/> Constricted		<input type="checkbox"/> Bowel							

000545

BOWEL SOUNDS

REVISED TRAUMA SCORE		0	5	30	60	C. GLASGOW COMA SCALE				0	5	30	60	PUPILS			0	5	30
A. RESPIRATORY RATE 10-29 4 >29 3 6-9 2 1-5 1 0 0						1 EYE OPENING SPONTANEOUS TO VOICE TO PAIN NONE		4						RIGHT SIZE RESPONSE					
								3											
								2	1	1									
								1											
								0											
2 VERBAL RESPONSE ORIENTED CONFUSED INAPPROPRIATE WORDS INCOMPREHENSIBLE WORDS NONE						2 MOTOR RESPONSE OBEYS COMMANDS PURPOSEFUL MVMT (PAIN) WITHDRAW (PAIN) FLEXION (PAIN) EXTENSION (PAIN) NONE		5					LEFT SIZE RESPONSE						
								4											
								3	1	1									
								2											
								1											
B. SYSTOLIC B/P >89 4 75-89 3 50-75 2 <49 1 0 0						GLASGOW SCALE TOTAL TOTAL GCS PTS: 13-15=4 0-12=3 6-8=2 4-5=1 3=0 GLASGOW SCALE POINTS TOTAL SCORE = (RTS + GCS PTS.)		6					PUPIL RESPONSE 1 2 3 4 5 6 7 8 C=CONSTRICTED E=EQUAL L=LINEOL R=REACTIVE D=DILATED F=FIXED N/R=NONREACTIVE S=SLUGGISH						
								5											
								4											
								3	1	1									
								2											
TRAUMA SCORE SUBTOTAL								0	0										

TIME	RHYTHM	TEMP.	BP	PULSE	RESP.	LUNG SOUNDS	NURSING PROGRESS NOTES
11:07	aspt	no. ° rectal					<p>Received in ED from SUV. 3 min delay 2° near door amb not app. man power request to handle pt. on long board to stretcher. In trauma room CPR continue. legs bound & plastic posterior. CPT by RN. Request for removal of hand cuffs. As established IV line more noticeable. (B) plant both wrist both knees decompression noted. Monitor on asptoly on monitor despite resuscitation efforts. ET tube placed. H. Pt. Brea sounds noted. 300g shock for V. fib x several sec. Aspt. returned despite ACLS effort. ADN notified. ME notified. Mother notified by ADN. NYRT notified # 368 557. personal belonging to morgue & pt.</p>
11:20							<p>Time of death - Ju</p>

000547

000548

1120Am

SOUTHAMPTON HOSPITAL

Record of Death

Name in full Glowne zenski DavidMedical Record # 18-42-01 Age 35 Date of Birth 4-19-68 Sex MDate of Admission 2-4-04 Time 1104Date of Death 2-4-04 Time 1120Physician Optic Health in RiverheadAdmitting Diagnosis Cardiac ArrestNurse Present J. WilsonPronounced Dead by Dr. Ameres

Patient's Physician Notified by _____ Time _____

Remarks _____

Patient's Family Notified by Dr. Ameres Time _____

Remarks _____

Taken to Morgue by _____

Autopsy: (Yes) _____ (No) _____

Medical Examiner's Case: (Yes) X (No) _____

Certificate signed by _____

Undertaker's Receipt

Received from Southampton Hospital

the body of _____

(Undertaker's Signature)

000550

Body transferred to undertaker by _____

(Accommodations Office)

—

Signed Allen Kusarra
Registrar of Vital Statistics

000551

EXHIBIT E

SUFFOLK COUNTY, NEW YORK



OFFICE OF THE MEDICAL EXAMINER

REPORT OF AUTOPSY

NAME David Glowczenski **ME#** 04-0487

AGE 35 Years **SEX** Male **RACE** White

AUTOPSY PERFORMED BY James C. Wilson, M.D.

DATE February 4, 2004 & February 5, 2004 **TIME** 3:30 P. M.

Cause of Death: **ACUTE EXHAUSTIVE MANIA
DUE TO SCHIZOPHRENIA**

Manner of Death: **NATURAL**

James C. Wilson

James C. Wilson M.D.
Deputy Medical Examiner

11/05/04
Date

JCW/slg

OFFICE OF THE MEDICAL EXAMINER

SUFFOLK COUNTY, N.Y.

DAVID GLOWCZENSKI

CASE 04-0487

EXTERNAL EXAMINATION

This is the body of a white man appearing consistent with the stated age of 35 years, measuring approximately 71" in length and weighing about 207 pounds. At the time of this examination the body is unclothed. There is generalized relatively stiff rigor mortis at the major joints. The rigor can be broken with moderate difficulty. The body retains palpable warmth in the central areas such as armpits, but is cool peripherally. There is posterior dependent essentially nonblanching livor mortis which is pink-red at the periphery and purple in most areas. Typical patches of pressure pallor are present on the back of the torso.

GENERAL EXTERIOR

The configuration of the head overall is unremarkable. There is long brown scalp hair estimated at 12" to 14" in maximum length with a typical distribution. The ears, eyes, nose and mouth have normal external configurations. The irides appear hazel. The conjunctivae are congested but there are no focal lesions. The nostrils and the mouth show some blood or bloody fluid present in small quantity and the mouth shows the presence of natural teeth in the upper jaw and the lower jaw. Swabs are introduced, dry and sterile, into the conjunctival sacs, the nose and nasal cavities and the oral cavity, separately, and are saved for possible chemical analysis. The neck has an unremarkable configuration and the skin overall appears intact. The torso is that of an average body type for stature. The external genitalia are those of a circumcised adult male with two testicles in the scrotum. At the time of examination on February 4, in the afternoon, the scrotal sac has unremarkable skin. The following day in the morning, the scrotal sac shows red to dark red-brown discoloration and some drying artifact, apparently. The four extremities have normal overall configurations.

SCARS AND TATTOOS

Very large and definitive surgical scars are identified in two locations. There is a mostly longitudinal scar on the medial aspect of the right knee and proximal right lower leg. There is another longitudinal apparent surgical scar on the lateral posterior aspect of the left lower extremity from the lower leg down onto the ankle region. No tattoos are seen on initial examinations by this examiner. On the back of the torso in the left side lower lumbar region are some faint diagonal scars approximately 1" in maximum dimension each and apparently two in number.

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THERAPY

There is evidence of attempts at CPR with a cuffed endotracheal extending out of the mouth and adhesive tape strap about the lower face and posterior upper neck. On the chest, upper right side and mid lateral left side are two large patches with attached wires and connecting device with indications being pacemaker-defibrillation patches. There are five EKG lead patches attached to the torso, two in the upper left side of the chest and three across the lower chest anteriorly. An intravascular catheter is present in the right elbow crease.

INJURIES

On the face are multiple generally small abrasions and a few contusions. Above the left eyebrow on the forehead is an approximately 1.5" zone with contusion and multiple small abrasions. On the upper aspect of the lateral left cheek is a small focus of abrasion less than 1" in maximum dimension. present at the bridge of nose on the left side and right side of midline. Inferior to the medial-most aspect of the right eyebrow is a focus of abrasion less than 1" in maximum dimension. Tiny abrasion and scratch-like marks are present on the more lateral right side of the forehead and next to the lateral extent of the right eyebrow. On the lateral aspect of the right cheek region are several small abrasions extending from the prominence of the cheek back towards the external ear.

On the left side of the neck is a discontinuous scratch-like mark which is diagonal, with the body in anatomical position, and about 1.25" in its most anterior component and about 2" to 2-1/2" in its more posterior component. Approximately 1" to 1.25" superior to the latter described scratch is a focus of abrasion adjacent to the angle of the jaw on the left side.

The anterior chest shows, from the level of breasts down towards the costal margins, scattered small scratch and contusion marks along with a few tiny crusts suggestive of similar minor injuries at the body surface. On the back of the torso, mid portion to lower or lumbar region are some focal contusion marks, the most prominent of which is about 1", oval, and composed of multiple closely spaced purple spots in the posterior left flank region. Another is to the left of the midline and at the lower thoracic region and is somewhat of a streak-like contusion, less than 2" in length and relatively narrow. Adjacent to this and slightly more superior is a slightly curved narrow scratch-like lesion.

On both knees are multiple relatively superficial appearing abrasions more prominent and widespread on the anterior aspect of the right knee. Several small crusted fresh or recent abrasions are present on the left foot region. One of these is

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dorsal proximal left foot, one is dorsal left foot between the base of the 2nd and 3rd toes and one is in the inferior-posterior left ankle region.

At the wrists are some variably encircling but discontinuous marks consistent with change secondary to the presence of "handcuffs". On the left wrist, the marks are more prominent lateral and medial with some narrow red discolorations extending transversely across the dorsal wrist towards the mark on the other side. There is an additional faint red small abrasion on the anterior aspect of the lateral, anatomical position, left wrist and closer to the palm of the hand. The right wrist-hand region shows a faint mark consistent with the presence of handcuffs which is two closely spaced linear red marks at the base of the hand region and more dorsal. There are small abrasion and contusion marks on the dorsal right hand over the prominence of several of the knuckle and on the more medial dorsal right wrist region. The dorsal aspect of three left fingers show small abrasion and contusion marks which involve thumb, index, fourth and fifth fingers.

On the right side of the mid to lower torso in the flank region and also on the right side of the lower half of the back, above buttocks, at the lateral right hip as well as posterior inferior more lateral right buttock and adjacent proximal thigh are apparently nine pairs of focal skin marks. These vary from about 1/8" in maximum dimension up to 1/4" in maximum dimension. They are separated by a span of from 1.25" up to 1.6" in maximum distance apart. Most of the marks have some character of a rectangular focal slight epidermal injury. Several on the right side of the upper flank region show radiating dark red to red-purple marks on the skin surface extending away from the sides or corners. Multiple photographic images are prepared of all of these marks. Four pairs are on the lateral upper right flank region, one pair is in the lateral upper right hip region. One pair is in the right posterior lateral inferior buttock and proximal thigh region, one is in the right side of the lower lumbar region and two are in the posterior right flank region.

MISCELLANEOUS

The conjunctival membrane of the inner surface of the right lower eyelid does show one small hemorrhagic discoloration at the margin of the lid, which is not characteristic of a petechial hemorrhage. No other focal lesions are identified and photographs are prepared to show the various conjunctival membranes.

On the face is a trimmed moustache of dark coarse hair and a partially trimmed beard of dark coarse hair mostly involving the margins of the lower jaw and the chin region.

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On the anterior aspect of the distal right wrist is a horizontal or transverse narrow pink-red mark of skin discoloration in continuity with the marks described on the more dorsal aspect of the right proximal hand and wrist region.

INTERIOR

The body is opened to reveal no evidence of significant subcutaneous or deeper hemorrhages in the soft tissues of anterior aspect of the body wall including over the ribs. There is no excess fluid accumulation in the major cavities. The urinary bladder appears distended. The organs of thorax and abdomen maintain normal positions.

Sections of skin from the paired marks in the right flank region of the torso are taken from four or five separate locations and each of the sections reveals no hemorrhage in the underlying subcutaneous fatty tissue.

The torso is incised and dissected approximately between subcutaneous fat layer and the deeper tissues of the body wall. In the left inferior scapular region is a focus of soft tissue hemorrhage about 2" to 2.5" in maximum dimension.

CARDIOVASCULAR

The heart is 410 grams with a normal overall configuration but a slight greater prominence than usual for the left ventricle contour. The epicardium is thin and smooth. The coronary arteries are normal in number with a right dominant distribution pattern. Transverse sections show a few patches of slight atherosclerosis with not greater than 15% to 20% focal narrowings. Opening the heart along the pathway of blood flow reveals unremarkable cardiac valves. There is a probe patent foramen ovale which is a slit-shaped structure and does not suggest any pathological function. The right ventricle is focal narrowings. Opening the heart along the pathway of blood flow reveals unremarkable cardiac valves. There is a probe patent foramen ovale which is a slit-shaped structure and does not suggest any pathological function. The right ventricle is unremarkable. The left ventricle is 1.5 to 1.6 cm in maximum thickness, uniform in its slightly pale brown coloration and unremarkable in consistency. The aorta has a normal configuration and shows essentially no atherosclerotic change on its intima. The large arteries arising from it and the large veins in the chest and abdomen are not remarkable.

NECK

Dissection into the neck from below with a layer by layer examination of especially strap muscles reveals no large hemorrhages, no fractures and no other change

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suggesting any crushing effect at the neck. There are scattered small hemorrhages in the soft tissues of the neck which involve the surfaces of both sternomastoid muscles and a few scattered ones in other areas about the airway and its attached soft tissues. The hyoid bone, larynx and trachea have normal configurations and are intact. The endotracheal tube is in the airway. Also present as a thin layering on the mucosal aspect of the airway in the neck with extension out into the main bronchi is a bloodstained to somewhat mucoid material suggestive of aspiration of some bloodstained vomitus.

LUNGS

The right lung is 835 grams and the left lung 685 grams. They have unremarkable overall configurations but do not completely fill their respective pleural cavities. Both lungs are dark or dusky externally. The pleural membranes are thin and smooth. The cut surfaces of both lungs show evidence of prominent congestion with some edema change and the general color is red to purple. Focal lesions are not identified. The bronchial trees have normal configurations with dark red mucosa. Small amounts of bloodstained vomitus-like material are present in some of the bronchi but no obstructions are noted. The bronchi and the lung tissues show features which are suggestive of a perimortem aspiration of some bloodstained vomitus material, pending microscopy. No other lung lesions are identified and the pulmonary artery branches are thin walled and patent.

LIVER AND BILIARY SYSTEM

The liver is 2215 grams, appearing larger than normal and showing a slightly rounded inferior margin. The surface suggests a finely nodular architecture but the capsule appears thin. The cut surfaces show finely nodular cirrhotic changes with small yellow-brown parenchymal nodules in a trabecular red-gray dense fibrous tissue. Focal lesions otherwise are not appreciated. The gallbladder is relatively small but otherwise unremarkable and it contains a small amount of cloudy gold thin bile. The largest intra and extrahepatic bile ducts are not remarkable.

GENITOURINARY

The right kidney is 250 grams and the left kidney 225 grams. They have unremarkable external configurations and appear congested externally and on cut surfaces with no lesions seen and with moderately well demarcated cortices of average thickness and normally formed dark renal pyramids. The collecting systems and ureters appear unremarkable. The distended thin walled urinary bladder contains about 700 cc of very pale yellow-tan otherwise clear urine. The

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mucosa of the bladder is tan-white and smooth. There is a pale red stain on the mucosal surface or possibly tiny vascular congestion. The prostate gland is normal in size and shows no lesions on the cut surfaces. The testicles are normal in size and show congestion which appears moderate but there are no hemorrhages in the parenchyma and no other testicular lesions. The skin of the scrotum shows drying artifact with no hemorrhage in the deepest aspect of skin and no subcutaneous or deeper soft tissue hemorrhages.

RETICULOENDOTHELIAL

The thymus gland is poorly demarcated and fatty. The spleen is 570 grams, appearing larger than expected and somewhat discoid with a thin gray capsule. The parenchyma is purple and appears congested with no lesions identified on the cut surfaces otherwise. The lymph nodes in neck, chest and abdomen are unremarkable except for some showing red-brown coloration suggesting congestion.

ALIMENTARY

The esophagus is unremarkable. The stomach shows prominently autolyzed mucosa. The content of the stomach is about 400 cc of tan-brown, cloudy, thick material which is without any unusual odor. The small bowel, vermiform appendix, colon and rectum are grossly unremarkable.

PANCREAS

The pancreas is normal in size and configuration with cut surfaces showing evidence for mild congestion and some mild postmortem autolytic change but no other lesions.

ENDOCRINE

The thyroid gland is normal in size and configuration with cut surfaces showing evidence of congestion but no other lesions. The adrenal glands are normal in size and configuration with no lesions on cut surfaces. The pituitary gland is normal in size and is remarkable on cut surfaces only for evidence suggesting congestion.

HEAD

The scalp is incised and reflected to reveal no focal lesions of the deep scalp nor subscalpular tissues. The skull as exposed appears intact.

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BRAIN

The brain is 1505 grams with congested leptomeninges which are otherwise thin and clear. Focal lesions are not evident at the surface of the brain. The arteries at the base of the brain have an unremarkable pattern in the region of circle of Willis and do not show any obstructions. Sections throughout the brain tissue reveal evidence of congestion of small vessels, especially in the gray matter. The gray matter is generally slightly dusky but without focal lesions. The patterns and quantities of gray and white matter are not remarkable. A coronal section across the cerebral hemispheres including the tip of each temporal lobe and the adjacent segment of frontal lobes is frozen at minus 55 degrees in the fresh state for possible future neurochemical analysis.

MUSCULOSKELETAL

There is fracture at the chondrosternal junctions, with immediately surrounding soft tissue hemorrhage involving right ribs 4 and 5. There is no significant dislocation of the fracture margins. The skeletal muscles and the skeletal otherwise do not show evidence by usual autopsy exposures of lesions nor of other significant injuries. Radiographic images representing the skeleton from head to foot and along the upper extremities revealed orthopedic metallic plates and screws in the proximal right lower leg and left distal lower leg and ankle regions.

Additional dissections reveal focal small subcutaneous hemorrhages posterior to each shoulder about 1.5" to 2" in maximum dimension.

AUTOPSY FINDINGS

1. Multiple Generally Small Contusion and Abrasion Marks on the Face, Torso, Wrists and Knees
2. Evidence of Nine Pairs of Small Possible Skin Surface Burn Marks, Averaging About 1.5" in Separation Between the Paired Marks, on the Right Flank and Right Lower Back Region of the Torso
3. Multiple Small Slight Hemorrhages in Soft Tissues of the Neck Without any Neck or Airway Structure Fractures
4. Heart, 410 Grams with Mild Left Ventricle Hypertrophy and no Significant Coronary Artery Disease
5. Liver, 2515 Grams with Finely Nodular Fatty Cirrhosis, Pending Microscopy
6. Congestion of Viscera
7. Urinary Bladder with 700 cc of Urine

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8. Three Foci of Subcutaneous and Slightly Deeper Soft Tissue Hemorrhage, Not Greater than 2" to 2.5" in Maximum Dimension, on the Back of the Torso Behind Each Shoulder and at the Left Lower Scapular Region
9. Splenomegaly, 570 Grams
10. Two Fractures at Chondrosternal Junctions, Right Ribs 4 and 5, With Slight Associated Hemorrhage and No Dislocation, Status Post CPR Attempts



James C. Wilson M.D.
Deputy Medical Examiner

11/05/04
Date

JCW/slg

Toxicologic Report**Division of Medical-Legal Investigation and Forensic Sciences
Suffolk County, New York**NAME: GLOWCZENSKI, DAVID TOX NO: 0106-2004 ME NO: 2004-0487EXAMINATION DATE: 2-5-04 ANALYSIS PERFORMED: GENERAL UNKNOWN**SPECIMENS SUBMITTED:**Femoral Blood, Pulmonary Artery Blood, Aortic Blood, Vitreous Fluid, Bile, Urine, Brain, Liver, Gastric Contents, Retainer Serum - Femoral, Retainer Blood - Femoral, Volatile Kit**SPECIMENS USED FOR ANALYSIS:**Femoral Blood, Pulmonary Artery Blood, Urine, Brain, Liver**RESULTS****VOLATILE SUBSTANCES****ETHANOL:**Femoral Blood - Not Detected (2/13/2004)**OTHER VOLATILE SUBSTANCES:**Femoral Blood - Not Detected (2/13/2004)**EMIT SCREEN**URINE - Acetaminophen, Amphetamines, Barbiturates, Benzodiazepine Metabolites, Cocaine Metabolites, Methadone, Opiates, PCP, Propoxyphene, Salicylates, Tetrahydrocannabinol Metabolites Not Detected (2/9/2004)**DRUG RESULTS****CITALOPRAM:**Femoral Blood - 0.23 mg/L (4/7/2004)Brain - 1.13 mg/kg (4/7/2004)Liver - 1.99 mg/kg (4/7/2004)**ARIPRAZOLE:**Femoral Blood - 0.17 mg/L (10/8/2004)**HYDROXYZINE:**Liver - Present (3/18/2004)**OTHER BASIC DRUGS:**Liver - Not Detected (2/17/2004)**ACIDIC AND NEUTRAL DRUGS:**Pulmonary Artery Blood - Not Detected (2/11/2004)James C. WilsonDate: 10/29/04Michael LehrerDate: 10/27/04

Reviewed By: James C. Wilson, M.D.

Michael Lehrer, PhD
Chief, Toxicology Laboratory

10/26/2004

AUTOPSY REPORT

Name: David Glowczenski

Date of death: 2/04/04,

Date of Autopsy: 2/9/04 at 12:30 PM.

Location: Suffolk County Medical Examiner's Office
725 Veterans Memorial Hwy.
Hauppauge, NY 11788

Autopsy Pathologist: Gerard A. Cabanese MD. ✓
Board Certified Forensic Pathologist.

W. 05/2/09

GENERAL:

This is a second autopsy examination performed on an un-embalmed body on 2/9/04 at the Suffolk County Medical Examiner's Office. The body has been previously opened with a "Y" shaped incision. There are organs present inside of the body cavity in a plastic bag. These organs have been previously dissected and sectioned, and pieces of these organs are absent. The head has been previously opened. There are extra incisions present on the deceased body. The back has been opened with an "I" shaped incision. There is a 2 inch incision on the right scrotum. There are extra incisions with sections taken from the right back and right buttocks (in the area of the tazer burns described below). The deceased eyes are collapsed from prior sampling of eye fluid.

EXTERNAL EXAMINATION:

The body is that of a well developed, well nourished, white male who looks the given age of 35 years. The body measures 5 foot 11 inches and weighs 207lbs. The brown hair is greater than shoulder length. There is 1/4 inch mustache and 1/2 inch beard. The irides are brown. The conjunctivae are cloudy (please see injuries below). The teeth are natural. The anterior torso, posterior torso and extremities are unremarkable except as described below. There is finger print ink on both hands. The genitalia are those of an adult male.

Rigor mortis is present in the legs. Livor mortis is posterior. The body is cold. There is drying artifact present on the body.

The body is examined unclothed. There are no tattoos or therapeutic procedures.

SCARS:

There is a three inch scar on the right knee.

INJURIES:

Head and Neck:

There are two 1 inch contusions of the right frontal scalp. There is a 1/2 inch abrasion of the right eye brow. There is a 2 inch contusion with a 1 inch central abrasion of the right cheek. There is a 1/4 inch abrasion of the lateral right face.

There is a 2 inch contusion of the left frontal scalp. There is a 2 inch contusion with a 1 inch central abrasion of the left cheek. There is a 2 inch contusion of the left eye lid with hemorrhage in the globe of the left eye. There is a 1/2 inch contusion with a 1/2 inch abrasion of the nasal bridge. There is a 1/2 inch subscalp contusion of the left frontal scalp.

There are two 1 inch linear abrasions of the anterior left neck. There is a 1/4 inch abrasion of the anterior left neck. There are scant scattered petechial hemorrhages of the right and left lower eyelids.

There are no other head or neck injuries.

Torso:

There is a 2 inch contusion of the right chest. There is a 2 inch abrasion of the right chest. There is a 2 inch abrasion of the right back. There is a 1 inch contusion of the right buttocks. There are three 1/4 inch contusions of the right upper back. There is a 1/2 inch contusion of the left back. There is a 2 inch deep contusion of the left upper back. There are deep hemorrhages of the right and left lower backs. There is a 2 inch hemorrhage surrounding the right testicle.

There are 18 electrical burns on the deceased right lower back, right buttocks and right thigh. These burns are present on the skin as 9 pairs of 2 burns (corresponding to 9 separate tazer stun gun injuries). Each of these burns have a rectangular shape and measure slightly greater than 1/8 inch in width. These 9 pairs of two rectangular burns have a distance of separation between them that ranges from 1-1/4 inch to 1-1/2 inch.

Extremities:

There is a 2 inch contusion of the anterior lateral left wrist with a 1/4 inch abrasion furrow. There is a 1 inch contusion of the anterior medial left wrist. There is a 2 inch contusion with a 1 inch linear abrasion furrow of the posterior medial left wrist.

There are two 1/4 inch contusions of the posterior left hand. There is a 1/4 inch abrasion of the posterior left hand. There are two 1 inch contusions of the left elbow.

There are two 1/4 inch contusions of the anterior right wrist. There is a 2-1/2 inch linear contusion and abrasion furrow of the anterior right wrist. There is a 1/4 inch contusion of the posterior medial right wrist. There is a 2 inch linear contusion of the posterior lateral right wrist. There is a 1/2 inch abrasion on the posterior medial right forearm.

There is a 1 inch contusion of the posterior right hand. There are two 1/4 inch contusions of the posterior right hand. There is a 1/4 inch abrasion of the posterior right hand. There is a 1 inch contusion of the posterior right elbow.

There is a 4 inch contusion with a 1 inch abrasion of the right knee. There is a 2-1/2 inch contusion with a 1/2 inch abrasion of the left knee.

There is a 1/4 inch abrasion of the posterior lateral left ankle. There is a 1/2 inch abrasion of the anterior left ankle. There is a 1/4 inch abrasion of the left foot. There is a 1/4 inch abrasion of the lateral right ankle.

These injuries having been described will not be repeated.

INTERNAL EXAMINATION:

HEAD:

The scalp and skull have been previously dissected. Except as described above, the scalp and skull are unremarkable. The remaining segments of dura are unremarkable. The brain has been previously dissected. The examined segments of brain are unremarkable.

NECK:

The neck structures have been dissected and preserved in formalin. The hyoid bone, larynx, tracheal cartilage and para tracheal soft tissues are without lesion. The tongue and examined neck muscles are unremarkable.

BODY CAVITIES:

The body cavities contain organs in a plastic bag. The body cavities are unremarkable.

CARDIOVASCULAR SYSTEM:

The aorta shows mild atherosclerosis. The heart has been previously dissected. There is a normal distribution of the remaining coronary arteries. There is mild atherosclerosis of the remaining coronary arteries. The left ventricle measures 1.6 cm in maximum thickness. The myocardium is unremarkable. The endocardial surfaces are unremarkable. The four cardiac valves are unremarkable.

RESPIRATORY SYSTEM:

The right lung has been previously dissected. The left lung has been preserved for future studies. The right lung has a red tan parenchyma. There are no focal lesions. The major bronchi and pulmonary arteries are unremarkable.

LIVER, GALLBLADDER & PANCREAS:

The liver has been previously dissected. The liver is diffusely fibrotic and has a pale parenchyma. The gall bladder is not identified. The pancreas is unremarkable.

HEMATOLOGIC AND LYMPHATIC:

The spleen has been previously dissected. The remaining segments of spleen are unremarkable. There is no lymphadenopathy.

GENITOURINARY SYSTEM:

The right and left kidneys have been previously dissected. The kidneys are unremarkable. The urinary bladder, prostate and testes are unremarkable.

ENDOCRINE SYSTEM:

The thyroid gland is unremarkable. The pituitary gland is not identified. One adrenal gland is identified and it is unremarkable.

DIGESTIVE SYSTEM:

The digestive system has been dissected prior to being examined. The esophagus, stomach, small intestine and large intestine are unremarkable. The appendix is not identified.

MUSCULO-SKELETAL SYSTEM:

Except for prior dissection and as described above the sternum, vertebra, clavicles, ribs and pelvis are unremarkable. Except for prior dissection the diaphragm are unremarkable.

AUTOPSY FINDINGS:

1. Second autopsy performed on an un-embalmed body on 2/9/2004.
2. Blunt trauma to head and neck with:
 - a. Contusions and abrasions of face and scalp.
 - b. Abrasions to left neck.
3. Blunt trauma to torso with:
 - a. Contusions and abrasions of chest and back.
 - b. Hemorrhage in deep muscles of back.
 - c. Hemorrhage surrounding the right testicle.
4. Eighteen electric burns, (nine sets of two tazer stun gun injuries) to right back, right buttocks and right hip.
5. Contusion and abrasion furrows present on the right and left wrists (Hand cuff marks).
7. Contusions and abrasions to right and left knees.
8. Abrasions to right and left ankles.
9. Fibrosis of liver.

APR 23 2005 9:08AM 1516 HOMICIDE BUREAU, FREDERICK K. BREWINGTON, NY 761, Y2 2005/014

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MICROSCOPIC EXAMINATION:

Brain: Autolysed, unremarkable.

Heart: Unremarkable.

Coronary artery: Mild atherosclerosis.

Lungs: Focal chronic inflammation, emphysema, congestion.

Liver: Triaditis, fibrosis with nodularity (slide # 6).

Kidneys: Autolysed, unremarkable.

Spleen: Autolysed, unremarkable.

Pancreas: Autolysed, unremarkable.

Adrenal gland: Autolysed, unremarkable.

Scalp: Recent hemorrhage (slide # 3).

Abdominal cavity muscle: Recent hemorrhage (slide # 4).

Musculature of back: Recent hemorrhage (slide # 9).

Skin: Electrical burns (tazer gun injuries), (slides # 2,10).

Cause of Death:

Gerard A. Cabanese MD.

PATHOLOGIST

Full body, male, anterior and posterior views (ventral and dorsal)

Name Glowczewski, David

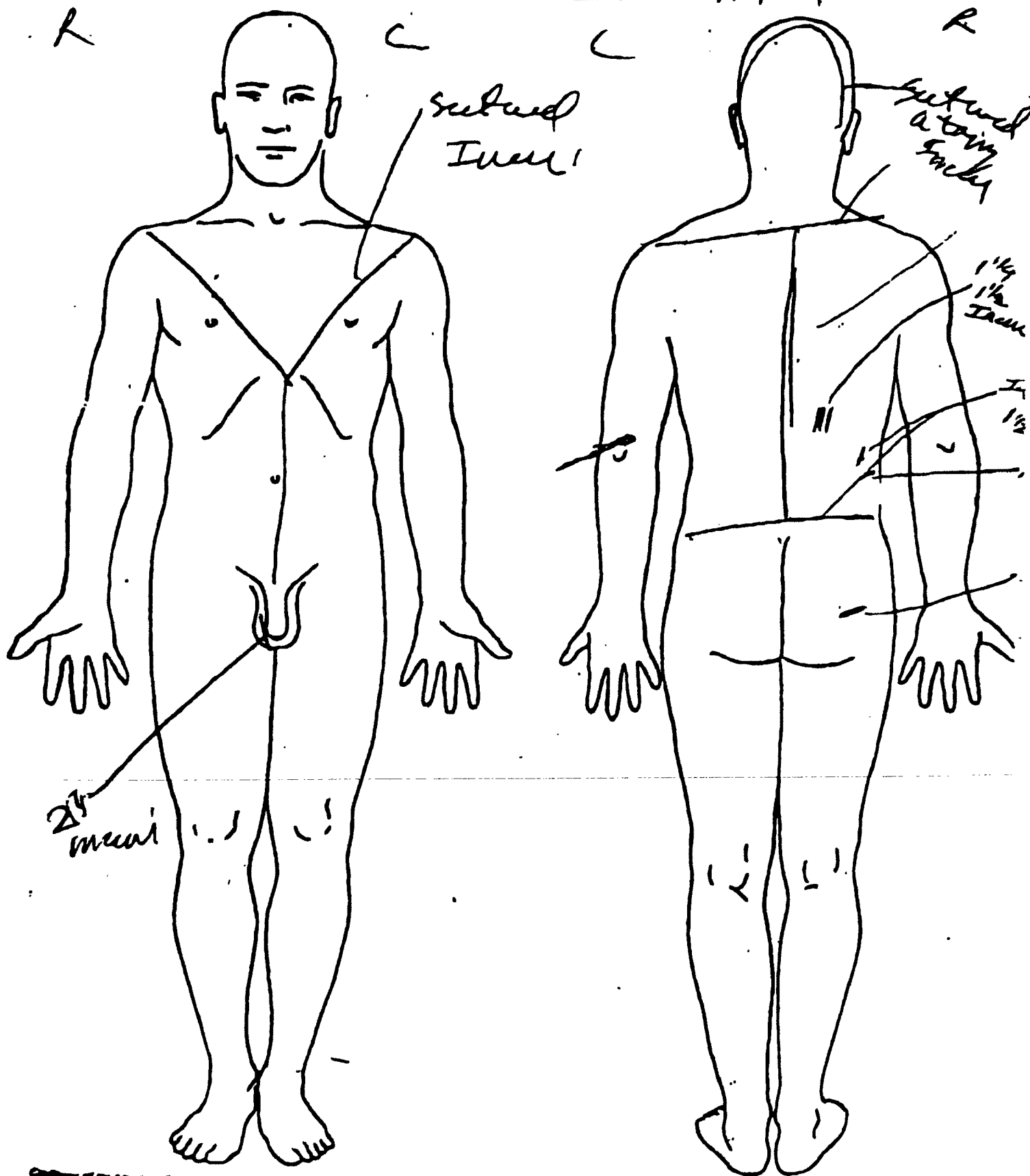
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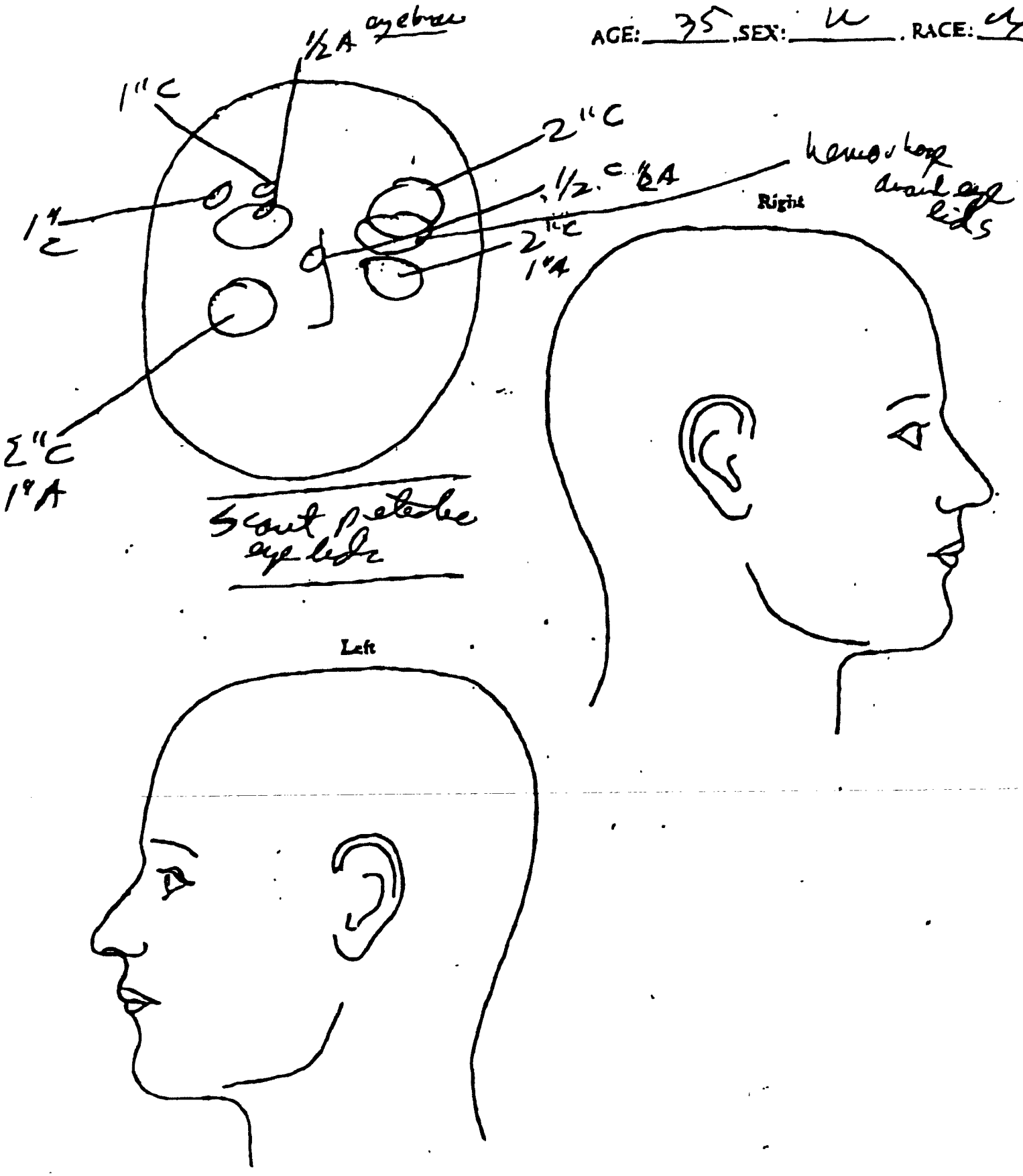
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Autopsy No.

Date 2,9,04

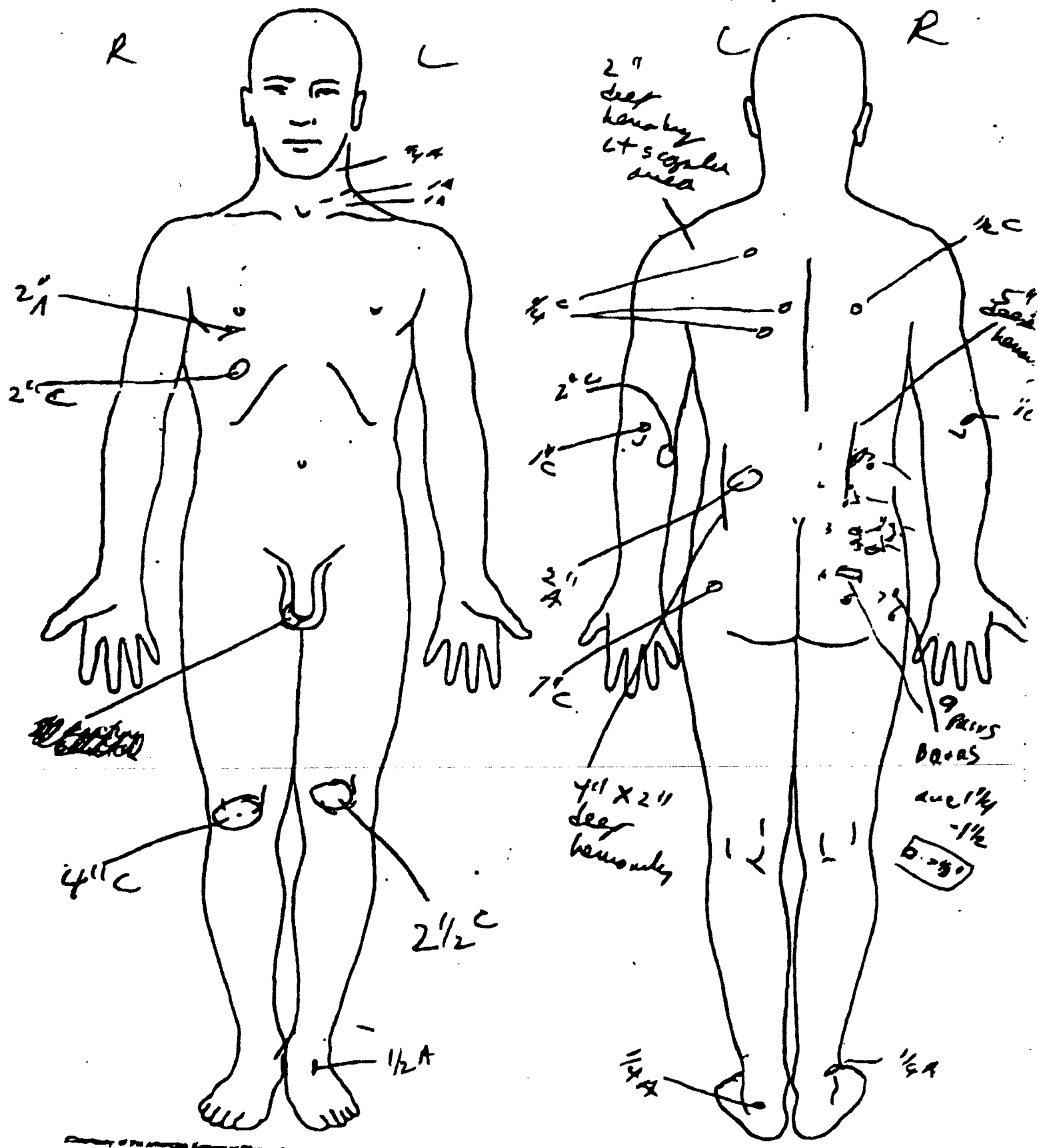


DATE: 2/9/04 . CASE #: _____
NAME: Glouzman
AGE: 75 . SEX: M . RACE: U



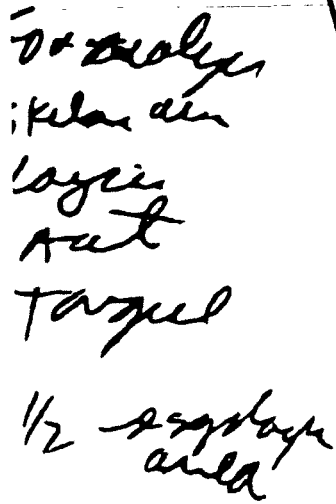
Full body, male, anterior and posterior views (ventral and dorsal)

Name Glowczenski, David 2/9/04
Age 35 Race W Sex M Date 1 1
Anatomy No. _____



Autopsy No.

Date 219 104



HOMICIDE BUREAU



FAX TRANSMITTAL COVER SHEET

FROM: JOHN COLLINS
Suffolk County District Attorney's Office
Homicide Bureau — Fifth Floor
Criminal Courts Building
Riverhead, New York 11901-3388
(631) 852-2575

TO: DR WETLI / DR WILSON

DATE: 4/28/05

ATTACHED ARE THE FINDINGS OF DR CATANESE REF:
GLOWCZENSKI, JUST RECEIVED. PLEASE REVIEW, IF POSSIBLE
RE: BEFORE THIS AFTERNOON'S MEETING. THANKS.

There are 14 Page(s) being forwarded to
you, including this transmittal cover sheet. If you do
not receive all copies, please call (631) 852-2575.

To contact our office via FAX, please use (631) 852-2786.

4/28/05
Called office
Thanning rept
referred to
15 page rept.
by Catanese

LAW OFFICES OF
FREDERICK K. BREWINGTON

ATTORNEYS AND COUNSELORS AT LAW
50 CLINTON STREET, SUITE 501
HEMPSTEAD, N.Y. 11550

TELEPHONE: (516) 488-8958
FACSIMILE: (516) 488-8958

FREDERICK K. BREWINGTON
IRA FOGELGAREN
WENDY PELLE-SEER
JENNIFER E. MILLER
GREGORY CALLISTE

April 27, 2005

BY FAX (631)852-2786 AND BY MAIL

John B. Collins, Esq.
Chief - Homicide Bureau
County of Suffolk
Office of the District Attorney
Criminal Courts Building
200 Center Drive
Riverhead, New York 11901-3388

Re: In the Matter of the Death of David Glowczenski
Your Ref. No.: 04-065136

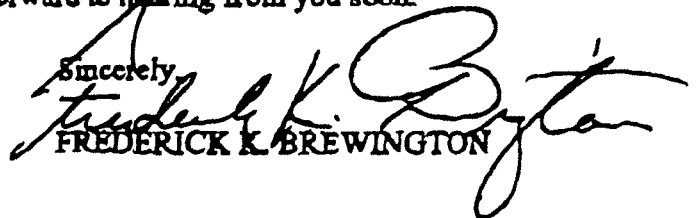
Dear Mr. Collins:

Thank you for your letter dated April 22, 2005 which was received in our office today. We are happy to comply with your request for a copy of the report of Dr. Gerard Catanese. As you may be aware, Dr. Catanese is the Medical Examiner in Nassau County and also does some contract work for Suffolk. In light of his ongoing relationship, other than doing the medical procedure and preserving information by use of notes and photos, he did not feel that it would be appropriate to render opinions and draw conclusions in this case. Enclosed, please find a copy of Dr. Catanese's report. Should have any questions on this issue, I welcome hearing from you.

As to our letter dated March 7, 2005, we did not receive a response about our request that you provide the family and this office with the witness statements which your office has obtained in this case. As you note this is an important matter, and is very important to the family. Accordingly, we ask for your cooperation in providing copies of the witness statement at this time.

Finally, we urge you to consider the University Miami connection between the Medical Examiner's Office and Dr. Mash. As before, we look forward to hearing from you soon.

Sincerely,


FREDERICK K. BREWINGTON

Encl.

cc: Ms. Jean Griffin

23 04 11:03a

Deborah Mash PhD

3052433649

p. 2



Name: David Glowczewski

ME Case No: 04-0487

(Univ. Miami Case No.: HUT)

Date of Death: 2/4/2004

Sex: Male

Race: White

Age: 35

Consultant: Dr. Deborah C. Mash
 Depts. Neurology and Molecular and Cellular Pharmacology
 University of Miami School of Medicine

Neurochemical Pathology Examination: Coronal sections were taken through the head of the caudate nucleus and the putamen of the right hemisphere were sampled for neurochemical analysis. The neuropathological specimens were cryoprotected and frozen prior to the assay. Regions-of-interest were dissected from the frozen neuropathological specimens.

A neurochemical analysis of the number of dopamine transporters was completed for this case. The density and affinity binding parameters were assayed within the ventromedial putamen using a selective radioligand and a validated neurochemical assay (Staley et al., 1995; Mash et al., 2002). Reference specimens were included in the assays for direct comparison to normalized values determined for control subjects and victims of excited delirium (Karch et al., 1996). A representative control specimen was assayed on the same day for validation of the assay conditions. The individual values for this case are provided below and are compared to the reference parameters determined for control subjects and victims of excited delirium (Table 1).

The analytical results for this case demonstrate a reduction in the overall density of dopamine transporter sites. The analysis for Case # 04-0487 demonstrates markedly lower numbers of radioligand binding sites on the dopamine transporter (composite Bmax values) consistent with results seen for agitated delirium victims (Table 1). This finding provides direct evidence for a neuroregulatory defect in the number of dopamine transporter densities for this case. Reduced dopamine transport function would lead to very high levels of synaptic dopamine. Pathologically high dopamine levels in the synapse may contribute to the psychotic and agitated behaviors associated with the delirium syndrome. The neurochemical results for this case indicate that the decedent suffered from a variant of dopaminergic overdrive syndrome.

Delirium or *mania* is a disturbance of brain function. Most studies have focused on the medical causes of the delirium and not the underlying biological mechanisms. The results presented here provide a neurochemical basis for understanding the psychiatric prodrome. Non-cognitive features including psychomotor disturbances, emotional alteration and psychosis are often seen in these cases and indicate different causative inputs to the phenomenological profile. Abnormal neurochemical activity of dopamine synapses provides an explanation for the hyperactive behavioral state. Psychotic *exhaustive mania* is frequently associated with abnormal motor behavior, altered verbal content, increased levels of arousal, aggression, disturbances of emotion, and abnormalities of thinking and perception (Tucker, 2000). Dopamine is well recognized to play role in abnormal behaviors and agitated motor function. Hyperdopaminergic states are associated also with a disrupted sleep-wake cycle and psychomotor agitation that may lead to psychosis. A syndrome of altered consciousness, motor agitation, sudden rigidity and autonomic instability may be fatal when it is not recognized.

Table 1: Reference Values for [³H]WIN 35,428 Binding to the Dopamine Transporter

	High Affinity Transport Site		Low Affinity Transport Site	
	K _D (nM)	B _{max} (pmol/g)	K _D (nM)	B _{max} (pmol/g)
Drug-Free Controls (N = 25)	4.4 ± 0.5	9.3 ± 1.4	80.9 ± 14.4	178.9 ± 4.4
ME Case #04-0487	3.5	3.9	71.2	107.4
Excited Delirium (N = 18)	3.7 ± 0.6	5.1 ± 1.4	68.5 ± 7.2	106.5 ± 5.0

Constants ± S.E. were obtained using LIGAND™ V2.0. Values shown for comparison were taken from average values determined for representative cases.

References

Mash DC, Pablo J, Ouyang Q, Hearn WL, and Izenwasser S. Dopamine transport function is elevated in cocaine users. *J. Neurochem.*, 81:292-300, 2002.

Staley JK, Wetli CV, Rittenber AJ, Hearn WL, Kung HF, and Mash DC. Dopamine transporter and receptor autoradiography in cocaine psychosis and sudden death. *Biol. Psych.* 37:656, 1995.

Wetli CV, Mash DC, and Karch S. Agitated delirium and the neuroleptic malignant syndrome. *Amer. J. Emer. Med.* 14:425-428, 1996.

Tucker GJ. Delirium, In-Seminars in Clinical Neuropsychiatry 5:63-255, 2000.

COUNTY OF SUFFOLK



Steve Levy
SUFFOLK COUNTY EXECUTIVE
DEPARTMENT OF HEALTH SERVICES
Linda Mermelstein, M.D., M.P.H.
ACTING COMMISSIONER

DIVISION OF MEDICAL-LEGAL INVESTIGATIONS &
FORENSIC SCIENCES
SIDNEY B. WEINBERG CENTER
FOR FORENSIC SCIENCES

CHARLES V. WETLI, M.D.
CHIEF MEDICAL EXAMINER

ACCREDITED BY ABFT, ASCLD/LAB & NAME

**SUMMARY REPORT OF AUTOPSY FINDINGS,
PURSUANT TO 190-30 C.P.L.**

Date: March 15, 2004
Re: **DAVID GLOWCZENSKI**
ME: 2004-0487
CC#: 04-65136

An autopsy was performed on David Glowczenski at the Suffolk County Medical Examiner's Office on March 5, 2004, by James C. Wilson, M. D.

Gail A. Glowczenski identified the body as that of her brother, David Glowczenski. The identification was made on February 10, 2004 to Ken Rothwell/O'Connell Funeral Home.

The certification of the cause and manner of death is based on all the available information including the autopsy. The autopsy revealed evidence of

CAUSE OF DEATH:

MANNER OF DEATH:

James C. Wilson, M. D.
Deputy Medical Examiner

Date

JCW/dmc

**EXHIBIT NOT INCLUDED
TRANSCRIPT OF TESTIMONY IS IN
POSSESSION OF ALL PARTIES'
COUNSELS**

EXHIBIT F

EXHIBIT NOT INCLUDED
TRANSCRIPT OF TESTIMONY IS IN
POSSESSION OF ALL PARTIES'
COUNSELS

EXHIBIT G

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TRANSCRIPT OF TESTIMONY IS IN
POSSESSION OF ALL PARTIES'
COUNSELS

EXHIBIT H

**EXHIBIT NOT INCLUDED
TRANSCRIPT OF TESTIMONY IS IN
POSSESSION OF ALL PARTIES'
COUNSELS**

EXHIBIT I

**EXHIBIT NOT INCLUDED
DISCLOSURE HAS BEEN SERVED
ELECTRONICALLY AND IS IN
POSSESSION OF ALL PARTIES'
COUNSELS**

EXHIBIT J

**EXHIBIT NOT INCLUDED
DISCLOSURE HAS BEEN SERVED
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COUNSELS**

EXHIBIT K

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POSSESSION OF ALL PARTIES'
COUNSELS

EXHIBIT Q

EXHIBIT R

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MARY JANE GLOWCZENSKI AND JEAN
JGRIFFEN INDIVIDUALLY AND AS THE
CO-ADMINISTRATRIX OF THE ESTATE
OF DAVID GLOWCZENSKI

Plaintiffs,

VS.

TASER INTERNATIONAL, INC.

Defendant.

Case No. CV 04 4052

Hon. Sandra J. Feuerstein

Expert Report: Deborah C. Mash, Ph.D.

Pursuant to Fed. R. Civ. P. 26(a)(2), I, Deborah C. Mash, M.D., hereby submit my report that contains a complete statement of all opinions to be expressed and the bases and reasons therefore; the data and other information I considered in forming the opinions; the exhibits or list of references I used as a summary of or support for the opinions; my qualifications, including a list of all publications authored within the preceding ten years; the compensation to be paid for the study and testimony; and a listing of any other cases in which I have testified as an expert at trial or by deposition within the preceding four years.

am (mt)

Deborah C. Mash, M.D.

3/16/09

Date _____

I. INTRODUCTION

I, Deborah Mash, have been retained as an expert consultant on behalf of the Defendant, TASER International, Inc. (TASER) in the above-referenced case. All opinions expressed in this report are to a reasonable degree of medical and scientific certainty or probability.

The opinions and facts contained in this statement are based on information made available to me in this case on or before the date of this report, as well as from the perspective of over 25 years of professional experience in the study of neurochemistry and pathology, drug abuse and sudden death. I reserve the right to supplement or modify this statement if and when I acquire additional relevant information prior to the time of trial.

II. BACKGROUND AND QUALIFICATIONS

I earned a Bachelor of Arts Degree with special honors in Experimental Psychology from Florida State University and a Ph.D. in Pharmacology (Neuropharmacology) from the University of Miami School of Medicine. I completed postdoctoral training in the Department of Neurology, Harvard Medical School, Beth Israel Hospital. I am a tenured Professor of Neurology and Molecular and Cellular Pharmacology at the University of Miami. I serve as a consultant to university, state and federal agencies. I serve as the Director of the University of Miami Brain Endowment Bank, which houses the largest collection of autopsies specimens from cases of excited delirium and sudden death. I frequently assist the courts with matters pertaining to criminal forensic investigations dealing with illicit drugs and alcohol. My research

program at the University is funded by federal grants from the US Public Health Service National Institute on Drug Abuse to investigate the effects of drugs and alcohol on the human brain and behavior. I hold four patents for medication development for the treatment of drug and alcohol addictions. I have served as a member of NIH review committees and lectured at national and international meetings. I have served as a member of the National Institutes of Health, NINDS-NSPA Program Project Review Committee A, the National Institute on Drug Abuse, Office of Extramural Program Review, Member, National Institutes of Health, Brain Disorders & Clinical Neuroscience ZRG1 (BDCN-6), the National Institutes of Health, Center of Biologic Research and Excellence (COBRE), the NIH Neural Basis of Psychopathology, Addictions, and Sleep Disorders (NPAS), the NIH Brain Disorders & Clinical Neuroscience ZRG1 BDCN-A, and the NIEHS Special Emphasis Panel ZES1 LWJ-G(CN). A list of peer reviewed publications and monographs are included in my curriculum vita. I have served as an expert in pharmacology and toxicology in courts in Florida, California, Oklahoma, Louisiana, Illinois and Pennsylvania.

III. MATERIALS CONSIDERED IN FORMING MY OPINIONS

My opinions set forth in this report are based on my consideration of the following materials:

Autopsy, Toxicology Reports and Medical Records, Psychiatric Assessment Records, Witness Statements, Emergency Medical Services (EMS) Report, Incident Reports and Interviews, and other supporting documents as described in Appendix A Documents Reviewed and/or Considered.

IV. BACKGROUND

The following is a summary of the facts of the case that are relevant. Mr. David Glowczenski had been diagnosed with a serious mental illness. Mr. Glowczenski began to show signs and symptoms of a mental disorder at or around the time of puberty. Mr. Glowczenski was known to have abused alcohol and other drugs. He was hospitalized first on December 2, 1988 following a Crisis Intervention. Medical records indicate that he suffered from paranoid delusions and that he refused medication. His family members reported that he had used psychedelic mushrooms in April 1988, which apparently exacerbated his underlying psychiatric disorder. He had been fasting for a two-week period and evidenced hyperreligiosity. He was hospitalized from 12/2/1988 to 1/13/1989.

Hyperreligiosity is the psychiatric term for mental illness that is centered on religion, which for Mr. Glowczenski was a common symptom or sign of his underlying condition. On 12/24/1989 Mr. Glowczenski was refusing to eat, not sleeping, delusional and reading the Bible. He was picked up by the police, while he was walking to Church in shorts, despite cold temperature. Admission records show that Mr. Glowczenski was socially and occupationally impaired with a continuing religious preoccupation with grandiose themes. Mr. Glowczenski's admission Axis I diagnosis was Psychotic Disorder NOS (Atypical Psychosis); Final Primary Diagnosis Schizophrenia – undifferentiated – chronic with acute exacerbation. On 1/5/1990 he was discharged to live with his mother along with after care arrangement at Peconic Clinic. Due to his refusal of services, he was terminated from the clinic roles on 5/08/90. Family members

were informed by phone that he was no longer under case management by the clinical staff.

Mr. Glowczenski was raised in a home with high emotional turmoil and his family history is positive for alcoholism. A review of arrest and police incident reports demonstrates numerous problems over the years indicative of his severe mental health issues, continued decomposition and likely medication noncompliance. The complaints and various incidents demonstrate a history of violent behavior that warranted police interventions. On 6/30/1994, narrative report indicated that the caller states "his son is mentally ill and violent, and wants him committed". Review of these and other supporting documents, demonstrate that the family members were unable to provide proper care for Mr. Glowczenski or to ensure that he was medication compliant over the years since first psychiatric hospital admission.

On February 4, 2004, Mr. Glowczenski was evidencing a deterioration in his behavior, such that he was unaware of his surrounding and non-verbal. His mother, Mary Ann Glowczenski called the Southampton Police at approximately 9:09 AM to report that he needed to be placed in protective custody if he was found, since he was not taking his medicine. A second call was made to the police to state that he had returned but was not cooperative and left home in this uncontrolled state.

Southampton Village Police Department Officers ("Officers") were called to investigate erratic behavior of a white male who was disoriented and agitated in the early morning hours. According to investigative reports, Officers Platt and Donovan and Sergeant Schucht responded to the area of North Main Street in front of Our Lady of the Hamptons School for a male subject (Mr. Glowczenski) in an emotionally deranged state

at 10:35 AM. Officer Platt was attempting to speak to Mr. Glowczenski in an attempt to de-escalate the situation and arrange to get him to a hospital for care and medication stabilization. Officers had been informed that he was again off of his medications and required transfer for inpatient treatment. A non-party witness account described Mr. Glowczenski as looking crazed with his hair disheveled and his gait unbalanced as if he was intoxicated. He approached this party and was speaking gibberish. She observed Mr. Glowczenski strike a known female DARE officer to the ground.

Despite the attempts of the Officers to dialog with Mr. Glowczenski and gain his cooperation, he became extremely violent and combative. He continued to fight with the Officers who were attempting to restrain him with handcuffs. A TASER[®] M26[™] electronic control device (ECD) in drive stun mode was deployed by Officer Platt but was without effect. Subsequent deployments of OC Spray to his face were without effect. The Officers dispatched EMS to assist them and to treat the individual for OC and ECD contact prior to transport to Southampton Hospital.

The struggle continued with the Officers who were able to apply handcuff restraints and use an additional set to secure his handcuffs to his rear belt loop. Mr. Glowczenski continued to struggle using his feet to kick the Officers. Officer Wetter remained at his side with his hand on his back to continue to calm him, but he remained combative as he attempted to kick Officer Platt. Mr. Glowczenski continued to grunt and scream. The Officers attempted to secure his feet with a zip-tie. Shortly thereafter he became quiet. First Responder Melissa Croke arrived at 10:44 AM and rolled Mr. Glowczenski over onto his back. At that time, Mr. Glowczenski was nonresponsive and was found to have no pulse. CPR was initiated prior and defibrillation attempted prior to

transport. David Glowczenski was pronounced dead at 11:20 AM at Southampton Hospital.

Emergency department records showed an elevated core body temperature of 100 degrees Fahrenheit. At autopsy Mr. Glowczenski was observed as a white male appearing his recorded age of 35 years. The report shows minor small contusions and abrasions marks on face, torso, wrist and knees. The liver was enlarged with finely nodular fatty cirrhosis. Evidence of nine sets of small possible skin surface burns marks on the right flank of the body. There was no evidence of internal trauma. Two fractures of right ribs 4 and 5 were reported with status post CPR attempts. A chemical neuropathology report demonstrated reduced numbers of the dopamine transporter, a finding that is consistent with disorder dopaminergic signaling in cases of drug-induced excited delirium. Heat shock protein 70 transcript was elevated 2.6-fold.

Toxicological examination demonstrated the presence of Citalopram and Aripiprazole in the decedent's blood. Aripiprazole is a psychotropic agent belonging to the chemical class of benzisoxazole derivatives and is indicated for the treatment of schizophrenia. Aripiprazole is a selective monoaminergic antagonist with high affinity for the serotonin Type 2 (5HT₂), dopamine Type 2 (D₂), 1 and 2 adrenergic, and H₁ histaminergic receptors. Aripiprazole acts as a partial agonist on D₂ receptors, and as an antagonist at other receptors including D₁, but with lower potency. Citalopram is used for the management of depression, blocking the reuptake of serotonin.

The cause of death was determined to be due to the acute exhaustive mania due to schizophrenia.

V. OPINIONS

The following statements are my opinions to a reasonable degree of medical or scientific certainty or probability based on my review of the autopsy findings, hospital records, toxicology, scene investigation and consulting pathology reports.

Mr. Glowczenski was in a paranoid and agitated state when he was observed by police officers at the scene. Mr. Glowczenski was known to have a serious mental illness that was not well controlled. He demonstrated bizarre and aggressive behaviors toward the police officers. He was paranoid and delusional, unable to respond to verbal commands. He became violent toward self and others, requiring many different restraint measures, including OC Spray and drive stun ECD deployments. The behavioral symptoms and his altered state are consistent with an acute onset of what has been termed Exhaustive Mania. Mr. Glowczenski evidenced the classic features of this disorder, including bizarre and/or aggressive behavior, shouting, paranoia, panic, violence toward others, and unexpected physical strength. The ultimate cause of death was due to the complications of this psychiatric condition. There was no evidence of significant trauma or fractures found at autopsy.

VI. DID THE DECEDENT'S PSYCHIATRIC CONDITION INCREASE HIS LIKELIHOOD OF SUDDEN DEATH ?

Victims of acute exhaustive mania are similar to what has been described as drug-induced excited delirium. Individuals display sudden onset of paranoia and alternate between calm behavior and extreme agitation. Delirium is a syndrome caused by a disturbance in the normal functioning of the brain. In hyperactive delirium, there is a change in awareness and response to the environment, which manifests as agitation,

hallucinations, delusions, and a psychosis. Bell (1849) first described over one hundred fifty years ago a disease in institutionalized psychiatric patients resembling some advanced stage of mania and fever as an overlooked and often unrecorded malady (i.e., Bell's Mania).

These individuals often encounter police, who are invariably called to the scene. The usual scenario is that when confronted by the police, the person intensifies the violence and becomes extremely paranoid. As the intense struggle ensues, the person exhibits incredible strength and is impervious to the usual police techniques of pain control, including pepper spray, electric stun guns, and peroneal baton strikes. The intense struggle requires the efforts of many police officers, who are finally able to restrain the person and apply restraints. usually, within minutes of being restrained, the person loses all vital signs (Wetli et al., 1996; Rutenber et al., 1997; Rutenber et al., 1999). Resuscitation of these cases often results in a failed course of hospital treatment (for review - Di Maio and Di Maio, 2006).

The mechanism of lethality in these cases is likely multifactorial, involving the brain and the autonomic nervous system. While many factors are associated with sudden death (Stratton et al., 2001), these individuals develop a disturbance in thought, behavior and mood, and become agitated and violent consistent with a CNS mechanism or brain disorder as a contributing cause of lethality. Neurochemical abnormalities are a likely cause of the emergence of the abnormal behavioral states due to a dysregulation of the neurotransmitter dopamine (Staley et al., 1996; Wetli et al., 1998; Mash et al., 2002). Schizophrenia like chronic psychostimulant abuse leads to a hyperdopaminergic state in these victims, and this in turn causes the emergence of the agitation and violent behavior.

Since dopamine is elevated in brain areas that are the higher command relays for control of cardiac rate and rhythm, the syndrome of exhaustive mania would have put the descendent at increased risk for a fatal arrhythmia.

It is my expert opinion to a reasonable degree of medical and scientific certainty or probability that Mr. Glowczenski exhibited paranoia and agitated behavior that resulted from his chronic and poorly medicated psychiatric condition. Mr. Glowczenski presented with bizarre behavior and aggression toward others, which necessitated the use of OC and ECD deployments by the officers.

VII. EXHIBITS TO BE USED

Exhibits to be used in my testimony include the material referenced above of this report, charts and tests shown in the exhibits to this report, as well as compilations or summaries, claim charts, or other supporting materials pertaining ECD.

Conclusion

Based on my review of the materials provided to me, as well as my professional education, experience and background, it is my opinion, to a reasonable degree of scientific and medical certainty or probability, that Mr. Glowczenski's death was caused by the complications of acute exhaustive mania and that he was at increased risk for the disorder because he was medication noncompliant.

IX. References:

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Lather, C.M, Spino, M.M., Agarwal, I., and Tyau, L.S.Y., Cocaine-induced seizures, arrhythmias and sudden death. In – Epilepsy and Sudden Death, ed. Lathers and Schraeder, Marcel Dekker, Inc., 1990.

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Staley JK, Hearn WL, Ruttenber, AJ, Wetli CV, and Mash DC (1994). High affinity cocaine recognition sites on the dopamine transporter are elevated in fatal cocaine overdose victims. *J. Pharm. Exp. Ther.* 271:1678–1685.

Staley JK, Wetli CV, Ruttenber AJ, Hearn WL, Kung HF, and Mash DC (1995). Dopamine transporter and receptor autoradiography in cocaine psychosis and sudden death. *Biol. Psych.* 37:656.

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Wetli CV (2005) Excited Delirium. In Payne-James J, Byard RW, Corey TS and Henderson C (eds) Encyclopedia of Forensic and Legal Medicine. Elsevier Academic Press, p. 276-281.

Wetli CV, and Fishbain DA. (1985). Cocaine-induced psychosis and sudden death in recreational cocaine users. J. Forensic Sci. 30(3):873-880.

Wetli CV, Mash DC, and Karch SB. (1996) Cocaine-associated agitated delirium and the neuroleptic malignant syndrome. Am. J. Emerg. Med. 14(4):425-428.

VIII. ATTACHMENTS:

Curriculum Vitae

List of Past Expert Testimony in previous four years

IX. Compensation for Professional Services:

Compensation for case reviews is at the rate of \$250.00 per hour. Depositions are charged at the rate of \$300.00 per hour. Travel for testimony is billed at a flat rate of \$2,000.00 per day.



Name: David Glowczenski ME Case No: 04-0487 (Univ. Miami Case No.: HUT)
Date of Death: 2/4/2004 Sex: Male Race: White Age: 35
Consultant: Dr. Deborah C. Mash
 Depts. Neurology and Molecular and Cellular Pharmacology
 University of Miami School of Medicine

Neurochemical Pathology Examination: Coronal sections were taken through the head of the caudate nucleus and the putamen of the right hemisphere were sampled for neurochemical analysis. The neuropathological specimens were cryoprotected and frozen prior to the assay. Regions-of-interest were dissected from the frozen neuropathological specimens.

A neurochemical analysis of the number of dopamine transporters was completed for this case. The density and affinity binding parameters were assayed within the ventromedial putamen using a selective radioligand and a validated neurochemical assay (Staley et al, 1995; Mash et al., 2002). Reference specimens were included in the assays for direct comparison to normalized values determined for control subjects and victims of excited delirium (Karch et al., 1996). A representative control specimen was assayed on the same day for validation of the assay conditions. The individual values for this case are provided below and are compared to the reference parameters determined for control subjects and victims of excited delirium (Table 1).

The analytical results for this case demonstrate a reduction in the overall density of dopamine transporter sites. The analysis for Case # 04-0487 demonstrates markedly lower numbers of radioligand binding sites on the dopamine transporter (composite Bmax values) consistent with results seen for agitated delirium victims (Table 1). This finding provides direct evidence for a neuroregulatory defect in the number of dopamine transporter densities for this case. Reduced dopamine transport function would lead to very high levels of synaptic dopamine. Pathologically high dopamine levels in the synapse may contribute to the psychotic and agitated behaviors associated with the delirium syndrome. The neurochemical results for this case indicate that the decedent suffered from a variant of dopaminergic overdrive syndrome.

Delirium or *mania* is a disturbance of brain function. Most studies have focused on the medical causes of the delirium and not the underlying biological mechanisms. The results presented here provide a neurochemical basis for understanding the psychiatric prodrome. Non-cognitive features including psychomotor disturbances, emotional alteration and psychosis are often seen in these cases and indicate different causative inputs to the phenomenological profile. Abnormal neurochemical activity of dopamine synapses provides an explanation for the hyperactive behavioral state. Psychotic *exhaustive mania* is frequently associated with abnormal motor behavior, altered verbal content, increased levels of arousal, aggression, disturbances of emotion, and abnormalities of thinking and perception (Tucker, 2000). Dopamine is well recognized to play role in abnormal behaviors and agitated motor function. Hyperdopaminergic states are associated also with a disrupted sleep-wake cycle and psychomotor agitation that may lead to psychosis. A syndrome of altered consciousness, motor agitation, sudden rigidity and autonomic instability may be fatal when it is not recognized.

Table 1: Reference Values for [³H]WIN 35,428 Binding to the Dopamine Transporter

	High Affinity Transport Site		Low Affinity Transport Site	
	K _D (nM)	B _{max} (pmol/g)	K _D (nM)	B _{max} (pmol/g)
Drug-Free Controls (N = 25)	4.4 ± 0.5	9.3 ± 1.4	80.9 ± 14.4	178.9 ± 4.4
ME Case #04-0487	3.5	3.9	71.2	107.4
Excited Delirium (N = 18)	3.7 ± 0.6	5.1 ± 1.4	68.5 ± 7.2	106.5 ± 5.0

Constants ± S.E. were obtained using LIGAND™ V2.0. Values shown for comparison were taken from average values determined for representative cases.

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COUNTY OF SUFFOLK



Steve Levy
SUFFOLK COUNTY EXECUTIVE
DEPARTMENT OF HEALTH SERVICES
Brian L. Harper, M.D., M.P.H.
ACTING COMMISSIONER

**DIVISION OF MEDICAL-LEGAL INVESTIGATIONS &
FORENSIC SCIENCES
SIDNEY B. WEINBERG CENTER
FOR FORENSIC SCIENCES**

ACCREDITED BY ABFT, ASCLD/LAB & NAME

CHARLES V. WETLI, M.D.
CHIEF MEDICAL EXAMINER

August 17, 2004

Deborah Mash, Ph.D.
UM/NPF Brain Endowment Bank
1501 NW 9th Avenue
Room #4013
Miami, FL 33136

Dear Dr. Mash:

The following is information from our toxicology lab with regard to our investigation into the death of David Glowczenski, 2004-0487:

Ethanol, Blood	-	Not detected
Citalopram, Blood	-	0.23 mg/L
Brain	-	1.1 mg/kg
Liver	-	Approximately 2 mg/kg
Hydroxyzine, Liver	-	Present

Screening tests for Amphetamines, Barbiturates, Benzodiazepine, Cocaine Metabolites, Methadone, Opiates, PCP, Propoxyphene and Tetrahydrocannabinol Metabolites on liver and urine – Not detected.

Although aripiprazole was detected in liver, the work to determine levels in blood, etc. has been delayed by nonavailability of a certified standard sample (drug company delay). The standard sample is now in our lab and the further testing for aripiprazole is underway.

If the above toxicological data are sufficient to allow you to complete your lab's brain study interpretations, please send to us your findings and opinion.

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Wilson", followed by a long horizontal flourish.

James C. Wilson, M.D.
Deputy Medical Examiner

JCW/vsf

APPENDIX D

Glowczenski v. TASER International, Inc.

CASE MATERIALS REVIEWED OR CONSIDERED

I. PLEADINGS

- a. Complaint;
- b. Answer of TASER International, Inc. and all Defendants in Related Action;
- c. Automatic Disclosure of Village of Southampton;
- d. Automatic Disclosure of TASER International, Inc.;
- e. Automatic Disclosure of Plaintiff;
- f. Automatic Disclosure of Suffolk County;
- g. Automatic Disclosure of Ambulance Department;
- h. Interrogatories Response of Village of Southampton;
- i. Interrogatories Response of TASER International, Inc.;
- j. Interrogatories Response of Plaintiff;
- k. Interrogatories Response of Suffolk County;
- l. Interrogatories Response of Ambulance Department;

II. DEPOSITIONS

- a. Deposition of H. Lewis
- b. Deposition of J. Griffen
- c. Deposition of Campbell
- d. Deposition of Gail Glowczenski
- e. Deposition of Teddy Glowczenski
- f. Deposition of Donovan
- g. Deposition of Philips
- h. Deposition of Platt
- i. Deposition of Schucht
- j. Deposition of Wetter
- k. Deposition of F. Wilson
- l. Deposition of M. Glowczenski
- m. Deposition of J. Bradshaw
- n. Deposition of S. Glowczenski
- o. Deposition of Fitzpatrick

III. REPORTS AND INVESTIGATIONS

- a. Suffolk County Crime Lab Testing
- b. Autopsy Report – Dr. Wilson, M.D.
- c. Autopsy Report—Dr. Catanese, M.D.
- d. Hospital Records
- e. Autopsy Report
- f. Police Reports
- g. Ambulance Reports
- h. Neurochemical Pathology Report—Dr. Mash, Ph.D.

CURRICULUM VITAE**Personal**

2. Deborah C. Mash, Ph.D.
 3. (305) 865-5170 (home)
 4. (305) 243-5888 (office) (305) 243-3649 (Fax)
 5. Address: 7552 W. Treasure Drive, Miami, Florida 33141
 6. Current Rank: Professor
 7. Primary Department: Neurology
 8. Secondary Department: Molecular and Cellular Pharmacology
 9. Citizenship: USA
 10. Visa Type: N/A

11. Higher Education

1970-1975 B.A. (Cum Laude) Experimental Psychology
 Florida State University, Tallahassee, FL
 (Special honor conferred in Major, Honor's thesis: "The McCollough Effect with Sizes")
 1973 Methodological Language Center, Moscow, USSR
 1978-1980 M.S. Pharmacology and Toxicology (Neuropharmacology)
 Florida A&M University, Tallahassee, FL
 Thesis: "Endorphinergic Regulation of Serotonergic Pathways"
 1980-1984 Ph.D. Pharmacology (Neuropharmacology)
 University of Miami School of Medicine, Miami, FL
 Dissertation: "Autoradiographic localization of M₂ muscarine receptors in the rat brain suggests a presynaptic location on cholinergic tracts: Implications for Alzheimer's disease."
 1984-1986 Postdoctoral Fellow in Neurology (Neuroanatomy)
 Harvard Medical School, Beth Israel Hospital, Boston, MA

12. Professional Experience / Academic

1971 - 1976 Research Assistant, Florida State University, Tallahassee, FL
 1976 - 1978 Research Technologist, Florida State University, Tallahassee, FL
 (small animal surgery, neurohistological and microscopic analysis, HRP and degeneration studies under the direction of Karen J. Berkley, Ph.D.)
 1978 - 1980 Graduate student in Pharmacology, Florida A&M Univ. (Neurochemical studies of beta endorphin and serotonin interactions)
 1980 - 1984 Graduate student in Pharmacology, University of Miami School of Medicine. (Biochemical and autoradiographic studies of muscarinic receptor subtypes in rat and human brain.)
 1984 - 1986 Postdoctoral Fellow in Neurology (Neuroanatomy)
 Harvard Medical School, Boston, MA. (Human and primate architectonic studies of cholinergic receptor subtypes under the direction of M-Marsel Mesulam, M.D.)
 1986 - 1991 Assistant Professor of Neurology and Pharmacology, UM School of Medicine
 1986 - Present Director, University of Miami Brain Endowment Bank
 1987 - Present Faculty Member, Interdepartmental Program in Neuroscience
 1990 - Present Associate Director for Basic Research, Comprehensive Drug Research Center
 1991- 1997 Associate Professor of Neurology and Molecular and Cellular Pharmacology (tenured 1992)
 1991 - 1996 Member, National Institutes of Health, NINDS-NSPA Program Project Review Committee A
 1993 National Institute on Drug Abuse, Office of Extramural Program Review, N01DA-3-8201
 1995 - Present Member, Scientific Advisory Panel, Heffter Research Institute, Lafayette, IN
 1997 - Present Professor of Neurology and Molecular and Cellular Pharmacology (Effective 6/1/97)

1996 - Present Jeanne C. Levey Professor of Parkinson's Disease Research
 2000 - 2003 Member, National Institutes of Health, Brain Disorders & Clinical Neuroscience ZRG1 (BDCN-6)
 2000 - 2006 Member - Scientific Advisory Board for Life Extension, Fort Lauderdale, FL
 2001 Member, National Institutes of Health, Center of Biologic Research and Excellence (COBRE)
 2002 Visiting Scholar, Depts. Psychology and Biology, Victoria University, Wellington, New Zealand.
 2003 - Present Member, Neural Basis of Psychopathology, Addictions, and Sleep Disorders (NPAS)
 2006 - Present Ad Hoc Member, Neuropsychiatric Mechanisms, Models, and Pharmacology ZRG1 BDCN-A 90
 2008 Member, NIEHS special emphasis panel Environmental Factors in Neurodegenerative Diseases
 ZESI-LWJ-G-CN Feb 25-27, 2008.
 2008 Member, ZMH1 ERB-S (04) S - Applications for Brainbanks, March 12, 2008
 2008 Chair, Special Emphasis Panel, Psychoactive Drug Screening ZMH1 ERB-S C5 S (NIMH) April 17,
 2008
 2008 Member, GTEx (Genotype-Tissue Expression) resource panel. June 2-3, 2008

13. Non-Institutional: None

14. Board Certification & Licenses: None

15. Non-Academic: None

16. Military: None

PUBLICATIONS:

17. Books and Monographs

- 1.) Hefti, F.H. and Mash, D.C. Localization of nerve growth factor receptors in the human brain. In: "Molecular Biology of the Human Brain", In: UCLA Symposium on Molecular and Cellular Biology, New Series, Vol. 72, (E.G. Jones ed.), Alan R. Liss, Inc. NY, pp. 119-132, 1988.
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- 8.) Hefti, F., Hartikka, J., Salvatierra, A., Weiner, W., and Mash, D.C. Localization of nerve growth factor receptors in the nucleus basalis of the human brain. Neurosci. Letters, 69: 37-41, 1986.
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- 15.) Efange, S. M., Kung, H.F., Mash, D.C., Jabir, M., Billings, J., Pablo, J., Dutta, A. and Freshler, A. Pargyline sensitive selective accumulation of a radiolabelled MPTP analog in the primate cerebral cortex and basal ganglia. Synapse 5: 207-212, 1990.
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Professional Activities

21. Funded Research

- 1986 - 1987 National Parkinson Foundation, Inc. Miami, FL., Total Award: \$23,750
- 1986 - 1987 NIH, Biomedical Research Support Grant, Principal Investigator, Total Award: \$22,890
- 1987 - 1992 NIH-NINCDS R29 NS 25785, Principal Investigator, Total Direct Costs: \$355,167
- 1987 - 1988 National Parkinson Foundation, Inc. Miami, FL. Total Award: \$38,870
- 1988 - 1989 American Parkinson Disease Foundation, NY, NY, Total Award: \$20,000
- 1988 - 1989 American Foundation for Aging Research, New York, NY Total Award: \$25,000
- 1989 - 1990 National Parkinson Foundation, Inc. Miami, FL. Total Award: \$38,000
- 1989 - 1990 NIH-S15 A1 3075, Small Instrumentation Grant, Total Award: \$21,290
- 1990 - 1991 National Parkinson Foundation, Inc., Miami, FL. Total award: \$39,000
- 1990 - 1993 NIH-NIDA RO1 DA 06227, Principal Investigator, Total Direct Costs: \$418,163
- 1990 - 1995 NIH-NINDS, RO1 NS 19065, Co-Investigator, Total Direct Costs: \$489,345
- 1990 - 1995 Allied Signal Research Award, Co-Investigator, Total Award for Period: \$500,000
- 1991 - 1992 National Parkinson Foundation, Inc., Miami, FL. Total award: \$20,000
- 1991 - 1992 Alcoholic Beverage Medical Research Foundation, Baltimore, MD., \$25,000
- 1992 - 1993 American Foundation for Aging Research, New York, NY Total Award: \$25,000
- 1992 - 1995 NIH-NIA , AG05128-09S1, Core Leader, Total Direct Costs: \$262,721
- 1992 - 1993 Alcoholic Beverage Medical Research Foundation, Baltimore, MD., \$22,000
- 1993 - 1998 NIH-NIDA, DA07909, Co-Investigator, Total Direct Costs: \$1,075,849
- 1992 - 1994 NIH-NIAAA, Principal Investigator, Total Direct Costs: \$100,000
- 1993 - 1997 NIH-NIDA, RO1 DA06227 Principal Investigator, Total Direct Costs: \$707,753
- 1993 - 1994 NIH-SBRR, Principal Investigator, Total Direct Costs, \$108,000
- 1993 - 1998 NIH-P01 HD-331199, Core Leader, Total Direct Costs, \$423,000
- 1994 - 1995 National Parkinson Foundation, Inc., Miami, FL., Total Award, \$17,990

1994 - 1995 NIH-NIDA, Professional Service Contract, Total Award, \$24,990.
 1994 - 1998 NIH-NIDA, RO1 DA09084, Principal Investigator, Total Direct Costs, \$887,360
 1995 - 1996 NIH-NIDA, R43 DA 9292, SBIR Program; Consortium; Total Award, \$66,375
 1995 - 2000 NIH-NIA, AG05128-10, Core Leader, Total Costs: \$430,000
 1995 - 1998 NIH-NIA, AG13, 621 (Co-Investigator, Consortium-Univ. Minnesota), Total Costs: \$202,984
 1997 - 1998 PhaseOut America, Principal Investigator, Total Direct, \$25,000.
 1996 - 2000 NIH-NIA, AG10,668 (Co-Investigator, Consortium-Rush Univ.) Total Direct Costs: \$178, 556
 1997 - 2001 DOD, US Army (Co-Investigator, Consortium-Lovelace Respiratory Res. Institute), \$169,935.
 1998 - 2003 NIH-NIDA, RO1 DA06227 Principal Investigator, Total Direct Costs: \$1,040,396.
 2001 - 2004 NIH- NIDA, R21 DA14912-01, Principal Investigator, Total Direct Costs: \$200,000
 2002 - 2004 NIH-NIDA, (Co-Investigator), Consortium Emory University, Total Direct Costs: \$320,000
 2002 - 2009 GENELOGIC, Inc. Sponsored Res. Agreement, (Principal Investigator), Total Costs \$665,036
 2003 - 2008 NIH-NIDA, RO1 DA06227 Principal Investigator, Total Costs: \$1,227,150.
 2005 - 2007 National Parkinson Foundation, Inc., Miami, FL., Total Award, \$455,800.
 2006 - 2008 Institute for Ethnomedicine, Research Award, Total Costs, \$100,000
 2007 - 2008 NSF, Oceans & Human Health: Cyanobacterial Toxin BMAA in the Food Web of South Florida Coastal Waters (SGER)
 2006 - 2011 NIH-NIDA Genetic and Epigenetic Regulation of Addiction Genes (Co-Investigator, Consortium Ohio State University) Total direct costs \$511,312.

22. Editorial Responsibilities:

Ad Hoc Reviewer:

Brain Research; Neurology; Journal of Neurochemistry; Neurobiology of Aging; Journal of Immunopharmacology; Journal of Neuroscience; Pharmacology, Biochemistry and Behavior; Life Sciences (Pharmacology Letters); European Journal of Pharmacology; Annals of Neurology, Neurology, Journal of Comparative Neurology, Journal of Neuroscience, Life Sciences (Pharmacology Letters); Molecular Psychiatry, Synapse; Psychopharmacology, American College of Neuropsychopharmacology; Journal of Cardiovascular Psychiatry & Neurology.

23. Professional and Honorary Organizations:

Society for Neuroscience, Member
 Sigma Xi, Member
 International Brain Research Organization, Member
 American Association for the Advancement of Science, Member
 American Society for Pharmacology and Experimental Therapeutics, Member
 American Academy of Neurology, Member
 Research Society on Alcoholism, Member (Legislative Action Subcommittee)
 College on the Problems of Drug Dependence, Member
 International Society for Biomedical Research on Alcoholism, Member
 New York Academy of Sciences, Member
 Scientific Advisory Board, Life Extension Foundation, Member

24. Honors and Awards:

NIH Predoctoral Traineeship, 1980-1984
 NIH Postdoctoral Traineeship, 1984-1986
 UpJohn Award, First Place Graduate Student Category, 1984
 Roche Laboratories Award in Clinical Sciences, 1984
 James E. Beale II Award in Neuroscience, 1984
 Boehringer Ingelheim Research Award, 1984
 Jeanne C. Levey Professor of Neurology, Endowed Chair, 1996

Professional Leadership Award, National Parkinson's Foundation, 2002.
Alzheimer's Association Medical Honoree, Annual Award, 2002.

25. Postdoctoral Training:

1984-1986 Research Fellow in Neurology (Neuroanatomy) Harvard Medical School, Boston, MA
(Under the direction of M-Marsel Mesulam, M.D.)

26. Other Professional Activities:

Invited lectures

Hillhaven Foundation, A National Conference on Alzheimer's Disease, "Research Update: Therapeutic strategies for cholinergic dysfunction in Alzheimer's disease", Boston, MA, November, 1985.

Massachusetts Institute of Technology, Department of Psychology, "Loss of M2 muscarinic receptors in Alzheimer's disease", Boston, MA, December, 1985.

Boston University School of Medicine, Department of Pharmacology, "Characterization and localization of M1 and M2 receptor subtypes", Boston, MA, March, 1986.

John Douglas French Foundation for Alzheimer's Disease. "M1 and M2 receptor subtype alterations in Alzheimer's Disease", Los Angeles, CA, May, 1986.

Monell Sensory Sciences, "M1 and M2 receptor subtype alterations in Alzheimer's disease" Philadelphia, PA , April, 1987.

American Geriatrics Society, "Age-altered architectonics of cholinergic receptor subtypes", New Orleans, Louisiana, May, 1987.

Management of the Elderly Patient: Psychopharmacological, Psychosocial, and Behavioral Issues, Dept. Psychiatry, UM School of Medicine, "New Horizons in the Neurosciences", Miami, FL., February, 1987.

Behavioral Neurology Grand Rounds at Beth Israel Hospital, "Cholinergic receptor subtypes in aging and Alzheimer's disease", Boston, MA., April, 1987.

Gerontology Institute of New Jersey, "Update on the Neurobiology Aging." Miami, FL., May, 1988.

First National Parkinson Foundation Meeting on Parkinson's Research, "Cholinergic receptor mosaics in the striatum", Key Biscayne, FL, January, 1988.

Florida State University, Psychobiology Colloquium Series, "Cholinergic receptor subtype architecture in the primate and human brain", Tallahassee, FL., September, 1989.

Alzheimer's Disease Research Centers Directors' Meeting, "Cholinergic receptor subtype alterations in Alzheimer's disease: Implications for the failure of cholinergic therapies", Miami, FL., April, 1990.

Florida Alliance for the Mentally Ill, State Convention, "The Decade of the Brain: Challenges and Choices", Orlando, FL., September, 1990.

Second National Parkinson Foundation Meeting on Parkinson's Research, "Brain iron regulation by transferrin receptors", Miami Beach, FL, October, 1990.

Society for Neuroscience, National Press Conference, "Detection of a novel cocaine and alcohol metabolite called cocaethylene: Implications for the epidemic of cocaine-related sudden deaths," St. Louis, MO, October, 1990.

Addiction Research Center, National Institute on Drug Abuse, "Epidemic of cocaine-related sudden deaths: Detection of a novel cocaine and alcohol metabolite", Baltimore, MD., December, 1990.

Friday Faculty Forum, "Epidemic of cocaine-related sudden deaths in Dade County: Potential lethal mix of cocaine and alcohol", Miami, FL., April, 1991.

American College of Neuropsychopharmacology, "Limbic and medullary mechanisms in cocaine-related sudden death, San Juan, Puerto Rico, December, 1991.

Marion Merrell Dow, Inc, Alzheimer's disease workgroup "Defect in muscarinic receptor G-protein coupling in Alzheimer's disease". Jacksonville, FL., November, 1991.

Medications Development Division, National Institute on Drug Abuse., "Detection of a novel cocaine and alcohol metabolite: Implications for the epidemic of cocaine-related sudden death". Rockville, MD., December, 1991.

American Academy of Forensic Sciences, "Cocaethylene chemistry". Boston, MA, February, 1992.

International Workshop on Iron in Neurodegenerative Disease, "Iron storage and transport proteins in Parkinson's Disease. Wurzburg, Germany, March, 1993.

Miles Pharmaceutical, Inc., "Cholinergic Receptor Subtypes in Aging and Alzheimer's Disease: Altered Distribution and Functions", New Haven, CT., May, 1993.

National Alliance for the Mentally Ill, Keynote Address - "New Horizons for Brain Research: Future Hopes of a Cure for Schizophrenia and Depression", Miami, Florida., July, 1993.

American College of Neuropsychopharmacology, 32nd Annual Meeting, "M1 Muscarinic Receptor-G Protein Coupling Disturbances in Alzheimer's Disease", Honolulu, Hawaii, December, 1993.

American Academy of Forensic Sciences, "Neurobiology of Drug Abuse", San Antonio, Texas, February, 1994.

Esalen Institute, "Ibogaine (EndabuseTM): Preclinical to Phase I Safety Trials, Big Sur, CA. January, 1994

The National Alliance for the Mentally Ill of Palm Beach County, "The Decade of the Brain: Research Update", Palm Beach, Florida, April, 1994.

National Institute on Drug Abuse, Ibogaine Clinical Protocol Development Meeting, "Preclinical Studies of Ibogaine in the Monkey: Neuroanatomical, Biochemical and Behavioral Observations", Rockville, MD, May, 1994.

"Toward the Development of Pharmacotherapy for Substance Abuse: From Cocaine Antagonists to Rain Forest Alkaloids" Miles Pharmaceutical, Inc., New Haven, CT., July, 1994.

"Ibogaine: Update on Preclinical Studies of Ibogaine, Pacific Symposium on Psychedelic Drugs, Esalen Institute, Big Sur, CA., January, 1995

"Development of Novel Pharmacotherapy Strategies for Substance Abuse: From Cocaine Antagonists to Rain Forest Alkaloids" Department of Medicinal Chemistry, University of Minnesota Medical Center, January, 1995.

CNS Mechanisms of Cocaine-Related Sudden Death, Department of Neuroscience and Anatomy, Pennsylvania State University, College of Medicine, January, 1995.

Beyond the Dark Side of Drug Dependence: New Insights from the Neurosciences, Keynote address to the Southern Society of Clinical Medicine, New Orleans, February, 1995.

Ibogaine Review Meeting, National Institute on Drug Abuse, Update on the Safety and Effectiveness of Ibogaine, Rockville, MD, March, 1995.

"Development of Novel Treatment Strategies for Drug Abuse: From Cocaine Antagonists to Rain Forest Alkaloids" Department of Clinical Pharmacology, Univ. Texas Medical Center at Houston, May, 1995.

Cellular and Molecular Mechanisms of Drugs of Abuse: Cocaine, Ibogaine and Substituted Amphetamines, Satellite Meeting of the International Society for Neurochemistry, Niigata, Japan, June, 1995.

Update on Clinical Investigations of the Anti-Addiction Drug Ibogaine, Symposium on Maturational Issues in Behavioral Disorders, University of Limbure, Maastricht, The Netherlands, Sept., 1995.

Psychopathological Manifestation of Cocaine Abuse. In - Drug Abuse in the Decade of the Brain, Sponsored by the Univ. Texas Health Science Center and Houston's Drug-Free Business Initiative. (Gabriel Nahas, M.D., Ph.D. and Leo Hollister, M.D., Chairmen and Organizers). September 22 - 23, 1995.

"Development of Novel Treatment Strategies for Drug Abuse: From Cocaine Antagonists to Rain Forest Alkaloids" Pfizer, Inc., Groton, CT., October, 1995.

"Medication Development of Ibogaine as a Pharmacotherapy for Drug Dependence", Department of Psychiatry, Johns Hopkins University School of Medicine, March, 1996.

"CNS Mechanisms in Cocaine-Related Sudden Death", Dept. Neurology, University of Pittsburgh, April, 1996.

"Ibogaine: Historic Overview, Medical Development and Future Directions, Botanical Preservation Corp., Palenque, Mexico, January, 1997.

"Psychostimulant Abuse", American Academy of Forensic Sciences, New York City, NY, February, 1997.

"Medication Development of the Psychoactive Rainforest Alkaloid Ibogaine for Drug Dependence", University of Minnesota School of Medicine, Seminars in Cross-Cultural Contributions to the Prevention and Treatment of Disease, March, 1997.

Regulation of Dopaminergic Synaptic Markers in Human Cocaine Fatalities, Texas A&M University, Faculty of Neuroscience, April, 1997.

Satellite Meeting, International Society for Neurochemistry/American Society for Neurochemistry, "Safety and Pharmacokinetics of Ibogaine", Hamilton, Bermuda, July, 1997.

Eleventh Annual Symposia on Etiology, Pathogenesis and Prevention of Parkinson's Disease and Hyperkinetic Movement Disorders: "Striatal Dopamine Transporter and D3 Receptor Densities Following Fetal Nigral Transplantation in a Patient with Parkinson's Disease", San Diego, California, September, 1997.

Lehman College, Dept. Biological Sciences, CUNY, Linking Research in Natural Products, Plant Biochemistry, and Biotechnology, "Medication Development of the Psychoactive Rainforest Alkaloid Ibogaine for Drug Dependence", New York City, NY, May, 1998.

"D3 Dopamine and Kappa Opioid Receptor Alterations in Human Brain of Cocaine Overdose Victims." New York Academy of Sciences Meeting: Advancing from the Ventral Striatum to the Extended Amygdala: Implications for Neuropsychiatry and Drug Abuse. Charlotte, Virginia, October 1998.

"Medication Development of the Psychoactive Rainforest Alkaloid Ibogaine for Drug Dependence", University of Toronto Center for Addiction and Mental Health, Department of Psychiatry, Addiction Research Foundation and Department of Pharmacology Seminar Series, Toronto, Ontario, December 1998.

"Banking Brains: Examples of what we can learn from human postmortem studies", RW Johnson Pharmaceutical Research Institute, San Diego, California, April 1999.

"Adaptive and toxic changes in human brain after chronic abuse of psychostimulant drugs of abuse", ASPET Colloquium: Neurotoxicity of Amphetamines and Related Stimulants. Washington D.C., April 1999.

"Ibogaine: complex pharmacokinetics, concerns for safety, and preliminary efficacy measures" Satellite Meeting of the International Society for Neurochemistry and European Society for Neurochemistry. Copenhagen, Denmark, August 1999.

"Ibogaine research in cocaine addicts, an update of studies in the U.S., St. Kitts, and Israel" MAPS Conference: Clinical Research with MDMA and MDE: A Review of the Latest Research. Dead Sea Conference, Israel, August 21, 1999.

"Using your brain: A neuroscientist's view for aging well into your 90's". President's Council Meeting, University of Miami, February 25, 2000.

"Aging and the Alzheimer's disease: Prospects from the Neurosciences", Alzheimer's Community Care Association of Palm Beach and Martin Counties, March 23, 2000.

"Ibogaine: An alternative approach for treating addiction", University of Minnesota, Dept. of Pharmacology and Neurosciences, May 4, 2000.

"A cure for drug addiction". Miami-Dade Rotary Club, Miami, FL, April 10, 2000.

"The Brain and Aging", Medical School 101 sponsored by Northern Trust Bank, University of Miami, School of Medicine. November 28, 2000.

"Ibogaine Treatment for Heroin Dependence", Florida Society of Addiction Medicine, Orlando, FL February 27, 2001

"Parkinson's Disease and Brain Endowment", Parkinson's disease Support Group of Boca Raton, Boca Community Hospital, Boca Raton, FL, February 24, 2001.

"Ibogaine Treatment and Research Update: Four Year Report on using Ibogaine as an Intervention for Cocaine and Opiate Abusers", National Institute on Drug Abuse, Office of the Director, May 14, 2001.

"Mapping Dopamine Transporter Regulation in Cocaine Abusers", New York University, School of Medicine, May 29, 2001.

"Dopamine transporter densities in alcohol preferring Vervet monkeys", 24th Research Society on Alcoholism Symposium, Montreal, Quebec, Canada, June 24, 2001.

"Brain Aging", Medical School 101, University of Miami, School of Medicine, Miami, FL, October 30, 2001.

- "New Hope for Parkinson's Disease Patients: Research for a Cure", Parkinson Association of South Dakota, Sioux Valley Hospital USD Medical Center, Sioux Falls, South Dakota, October 27, 2001.
- "Banking on Brain: Promises and pitfalls of gene array methodologies in postmortem studies of cocaine dependence", Microarray Research – Evolving Standards, Society for Neuroscience, Satellite Symposium, San Diego, California, November 9, 2001.
- "Successful Brain Aging in the 21st Century – How to stay sharp", Institute for Retired Professionals, University of Miami, School of Medicine, December 5, 2001.
- "The Aging Brain", Terracina Grand, Naples, Florida, January 30, 2002.
- "Advances in Parkinson's Research", North Brevard Parkinson's and Caregiver Support Group, Parrish Medical Center, Titusville, Florida, February 18, 2002.
- "Medication development of Ibogaine", UT Southwestern Medical Center, Dallas, TX, Annual Addiction Update: Nova 2002, February 22-23, 2002.
- "Banking on Brains from Cocaine Abusers", Brain Banking Workshop, National Institute of Neurological Disorders and Stroke, National Institute of Health, March 11-12, 2002.
- "Ibogaine: Moving beyond Agonist/Antagonist/Maintenance Medications toward an Addiction Interrupter Model", 4th National Harm Reduction Conference, December 2, 2002, Seattle, Washington.
- "The Aging Brain", AARP American Association of Retired Professionals, Miami, FL, May 8, 2003.
- "Clinical Aspects of Ibogaine", California Society of Addiction Medicine, State of the Art Conference, San Francisco, CA, October 9, 2003.
- "Banking on Brain from Cocaine Abusers: Adaptive neurochemistry, Gene Expression Profiling and More", National Institute on Alcohol Abuse and Alcoholism, Rockville, October 22, 2003.
- "BMAA and ALS: Possible future research categories", Epidemiology and Neurodegenerative Diseases", BMAA Conference, National Tropical Botanical Garden, Deer Field Valley, Utah, November 29, 2004.
- "Ibogaine: Update on an Unusual Addiction Treatment", American Academy of Addiction Psychiatry, San Francisco, CA and Atlanta, GA, 2005.
- "Noribogaine: A Metabolite of the Naturally Occurring Substance Ibogaine Mediates the Beneficial Effects of the Drug on Opiate Withdrawal and Dependence." International Narcotics Research Conference, Invited Speaker, Symposium on Prescription and Non-prescription Drug Abuse, Annapolis, Maryland, July 12, 2005.
- "Ibogaine Therapy." 18th European College of Neuropsychopharmacology Congress, Invited Speaker, Symposium on Addictions – New Approaches to Treatment, Amsterdam, the Netherlands, October 23, 2005.
- Neurochemistry of Excited Cocaine Delirium, Invited Speaker, Florida Association of Medical Examiners, Annual Conference, Jupiter, Florida, August 16, 2006.
- Cocaine Abuse Leads to an Overexpression of Alpha Synuclein: Pathway to Parkinson Disease? Invited Lecturer, University of Mississippi, Department of Pharmacology, September 21, 2006.
- Brain Biobanking for Parkinson Disease Research. Invited Lecturer, Genetic Epidemiology of Parkinson's Disease 2nd Annual Meeting, Santorini Greece September 10-12 2006.

IPICD Annual International Conference, "Psychostimulant Abuse and Excited Delirium", Las Vegas, NV, November 13 - 14, 2006.

National Institute of Justice, Annual Conference. Invited Lecturer, Excited Delirium, Causes and Management, Arlington, VA July 23 -25, 2007.

IPICD Annual International Conference: Sudden Death, Excited Delirium, and In-Custody Death. "Stimulants and the Brain: New and Recent Research Findings." Las Vegas, NV, November 28-30, 2007.

Scripps Research Institute: "Alpha-synuclein, Dopamine Dysfunction, and Cocaine Addiction." Jupiter, FL, December 07, 2007.

Sigma Xi, University of Miami Chapter. A Forum on Oceans and Human Health. The Neurotoxicity of the Blue Green Algal Toxin, BMAA. Dept of Medicine Grand Rounds, CME credit lecture, University of Miami Miller School of Medicine, Jan 23 2008.

Florida Crisis Intervention Team; First Regional CIT Workshop: "PTSD and Excited Delirium." North Broward Medical Center Pompano Beach, Florida. April 22, 2008

Savannah Parkinson Support Group, Savannah, GA. "The Importance of Brain Research To The Parkinson Community." May 1, 2008

Mental Health Transformation in Action Conference, sponsored by 11th Judicial Circuit of Florida, Florida Partners in Crisis Miami-Dade Chapter, and Florida Dept of Children and Families Circuits 11 and 16 Substance Abuse and Mental Health Program. CIT Executive and Administrative Training Session: "Excited Delirium." Miami, Florida May 15, 2008.

LNG Seminar series, NIAAA/NIH. Invited speaker: "Identifying dysregulated Genes in Cocaine Abuse and Excited Delirium." June 20, 2008.

University of Miami Miller School of Medicine Department of Neurology Grand Rounds. "Biobanking Brains for Parkinson Disease Research: A Resource for Molecular Neuropathology, Gene Expression Profiling and More." Miami, FL June 27, 2008.

Excited Delirium Conference, sponsored by Mental Health America of Greater Dallas. "Neurological Activity Associated with Excited Delirium" Dallas, Texas, Sept 3, 2008

IPICD Annual International Conference: Excited Delirium and Mental Illness: "Brain, Behavior and Excited Delirium." Las Vegas, NV, October 29-31, 2008.

Biogen Idec / Neurology: "Bio-banking Brains for Parkinson Disease Research: A Resource for Biochemistry, Molecular Neuropathology, and Gene Expression Profiling." Cambridge, MA, January 12, 2009

27. Teaching Awards Received: None

28. Current and Past Teaching Responsibilities:

Undergraduate Psychology Laboratory Course in Visual Psychophysics, Florida State University
Lecturer: University of Miami School of Medicine 2nd year Medical Pharmacology & Combined PhD/MD

Course Organizer: UM Nursing 301, Pharmacology (Fall Semester, 1989 & 1990), Nursing 501, Advanced Clinical Pharmacology for Nurses (Fall, Spring & Summer Semesters, 1990 - 1994).

29. Thesis and Dissertation Advising

Marvin Rossi, B.S.	Rush Medical Center, Chicago, IL. Department of Neurological Sciences	Doctoral Committee Member/ Reader
John Pablo, M.S.	University of Miami School of Medicine Program in Neuroscience	Doctoral Advisor
	Recipient, American Academy of Clinical Toxicology Kenneth F. Lampe Memorial Research Award TIAA-SOFT Research Award	
Yousuf Ali	Doctoral Candidate Department of Cellular and Molecular Pharmacology.	
Ines Chopra	Doctoral Candidate Department of Cellular and Molecular Pharmacology.	

Medical Honor's Program

Cyrus Zabetian, M.D.	Resident in Neurology, Univ. Washington at Seattle Recipient, Outstanding Medical Student Award in Neurology & Pharmacology
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Postdoctoral Trainees

Present Position

Leslie Terry, Ph.D.	Assistant Dean and Professor, Florida Atlantic University
Julie Staley, Ph.D.	Assistant Professor, Yale University School of Medicine
David Segal, Ph.D.	Research Associate, Dept. of Psychiatry, UM School of Medicine
Lionel Raymon, Pharm. D., Ph.D.	Staff Assoc, DUI Laboratories, Dept. Path., UM School of Medicine
Li Chen, Ph.D.	Research Associate, NINDS, NIH Bethesda, MD
John Pablo, Ph.D.	Research Associate, Dept. of Neurology, UM School of Medicine
Weiping Shen, M.D., Ph.D.	Research Associate, NINDS, NIH Bethesda, MD
Emily Garland, Ph.D.	Research Assoc. Professor, Vanderbilt University, Nashville, TN
Yujin Qin, Ph.D.	Research Associate, Univ. Miami, Miller School of Medicine

30. Departmental, Administrative and Committee Responsibilities:

1986 - present	Director, UM School of Medicine Brain Endowment Bank
1990 - Present	Associate Director, Comprehensive Drug Research Center, UM School of Medicine
1990 - 1994	Medical School Representative, Research Council of the University of Miami
1990 - 1991	Member, Medical Library Committee
1991 - 1992	Vice Chairperson, Medical Library Committee
1992 - 1993	Chairperson, Medical Library Committee
1992 - Present	Member, Graduate Faculty Committee
1993 - 1996	Scientific Advisory Committee
1995 - 1996	General Clinical Research Center, Advisory Committee Member
1996 - 1999	Member, Faculty Senate
1998 - 2002	Chair, University of Miami Intercollegiate Athletics Drug Testing Committee

2001	Search Committee, Chairman of Anesthesia, UM Medical School
2003 - 2005	Search Committee, Parkinson Scholar, Department of Neurology

31. Community Service and Activities:

1986 - Present	State of Florida Alzheimer's Disease Initiative - Brain Bank Subcommittee Member
1987 - 1988	Henderson/New Vistas Mental Health Assoc., Human Rights Subcommittee Member
1989 - Present	Alzheimer's Disease Association, Member of the Miami Chapter's Scientific Advisory Committee
1989- Present	Human Subjects Review Board Member, Miami Jewish Home and Hospital for the Aged at Douglas Gardens
1988 - 1990	Commissioner, City of North Bay Village, Florida
1990 - 1992	Commissioner, City of North Bay Village, Florida
1990 - 1991	WMRZ Healthline (Hosted Sunday Radio Shows to Promote Community Awareness of of the UM School of Medicine/JMH Programs of Excellence in Health Care & Research
1988 - 1992	Commissioner, City of North Bay Village, Florida
1992 - 1994	Commissioner, City of North Bay Village, Florida
1994 - 1996	Commissioner, City of North Bay Village, Florida
1992 - Present	Member, Dade County Democratic Executive Committee
1995 - 1997	Member, Health Council of South Florida (Appointed by Metro-Dade County Commission on November 6, 1995)
1997 - Present	Member, Health Council of South Florida (Appointed by Metro-Dade County Commission as of March 1, 1997)
1996 - 1998	Commissioner, City of North Bay Village, Florida
1998 - 2000	Secretary, Health Council of South Florida
2001	Nominating Committee Member, Miami-Dade Health Policy Authority.
2000 - 2002	Chairman, Health Council of South Florida
2002 - 2003	Nominating Committee, Health Council of South Florida
2003 - 2004	Miami-Dade County Healthcare Task Force, Member

Deborah C. Mash, Ph.D.
Legal Cases from 2003- 2009

CASE NAME	LAWYER	
Betty and Robert Heston vs City of Salina	Michael Brave, Esq.	651-248-2809
Commonwealth v. Jerry Marshall	Sam Angel, Federal Defender	215-928-0520
D & Robert Sapp v Rexall Sundown Inc, Walmart	Mary Kestenbaum, Esq	813-229-1000
Estate of Adam Hendelson v Johnson and Johnson	Michelle Vargas, Esq.	305-460-1000
Estate of Benjamin Chin	Andy Carboy, Esq.	212-732-9000
Estate of Bobby Rumph	Lorenzo Williams, Esq.	772-464-2352
Estate of Carlos Dominguez	Richard A. Goetz, P.A	561-862-4112
Estate of Frederic Giles	Peter Spillis Esq.	305-662-4800
Estate of Gerald J. Dobek	Candice N. Carr, Esq.	954-523-0955
Estate of James Edward " Spencer " Hyde	Marco D Sarnoff, Esq.	305-441-5966
Estate of Marilyn Spaugh	Hung V. Nguyen, Esq	305-441-8900
Estate of Stephen Donaldsen	Marco Salazar, Esq	305-662-2272
Estate of Susan Hodgemire	E. Caly Parker, P.A	407-425-4910
Estate of Ursula Strader	Ronald Rodman, Esq	305-448-8585
John Ryan v. Qualitest Pharmaceuticals. Inc	Haakon Donnelly, Esq	214-954-9540
Judith Campbell, Malpractice	Michael Skinner, Esq	972-264-1614
Singley v. Beard	Janel Trivelpiece, Esq.	717-782-3843
State of FI v. Donald Roper	Steven J. Hammer, P.A.	954-766-8856
State of Florida v. Dolan Darling	Rose Valdez, Esq	813-740-3544
State of Florida v. Eric Ellis	Pablo Casasnovas, Esq	305-545-1884
State of Florida v. John Chamberlain	Amanda Meadows, Esq	954-713-1284
State of Florida v. John Harris	Terry Lenamon, Esq	305-579-9090
State of Florida v. Michael Griffin	Terri Backhus. Lead Attorney	954-713-1284
State of Florida v. Roberto Ochoa	Patrick Naly, Esq	305-545-1899
State of Florida v. Whitfield	Peter Cannon, Esq	813-740-3544
State of Florida v. William Reaves	William Hennis, Esq	954-713-1284
State of Florida vs Joel Diaz	Roseanne Eckert, Assistant CCRC	954-713-1284
State of LA V. Ronald Letulier	Eric Gislesohn, Esq	504-585-7000
State of MA vs. John Lionel Neal, Jr	Beth E. Bookwalter, Esq.	617-526-6862
State of OK v. James Allen Coddington	Jack Fisher, Esq	405-235-9466
USA vs. Carlos Ayala-Lopez	Bill Matthewman, Esq.	561-416-0170
Jackson Vs Danberg	Megan McCracken, Esq.	305-460-1000
Estate of Jorge Godinez v. Stephen Caldwell MD	Dave Ference, Esq.	801-466-4266
State of DE vs Jermaine Marlow Wright	James Moreno, Esq.	215-928-0520
Mann vs Taser	Jessie C. Fontenot, Jr., Esq.	404-888-7423
Burchill vs Johnson and Johnson	Anne M. Kordas, RN, JD	216-696-4582
State of FI vs Andre Tabaie	Scott Kotler, Esq.	305-461-3627
Mirapex litigation	Craig Thompson, Esq.	410-244-7605
State of PA vs Mark Edwards	Carol Wright, Esq.	412-644-6565
Hodgemire Vs Janssen Pharamaceutica	Scott J. Liotta, Esq.	407-788-2949
Williams vs Taser	Kathleen Anderson, Esq.	260-425-4657
State of Florida v. Marbel Mendoza	Anna-Liisa Nixon, Esq.	954-713-1284
State v. Hogan	Ken Lee, Esq.	405-609-5984
Oliver v. TASER	Michael J. Roper, Esq.	407-897-5150
State of Florida v. Kemar Jonhston	David A. Brenner P.A.	239-332-1100
Teran v. County of Monterey (TASER)	Manning, Ellroy & Ramirez LLP	213-624-6900
Sanders v. TASER	Michael Brave, Esq.	480-905-2027

State of Illinois vs Clifford Roberts	Gina A Piemonte	733-869-3217
Colato v. City of Maywood	Raymond E. Brown	714-384-6500
Estate of Timothy Bolander vs Taser International	Michael J. Roper	407-897-5150
Estate of Iwaniszek vs American Living, Inc.	Derek M. Daniels	813-287-2822
State of Florida vs Miguel Ocana	William D. Matthewman	954-796-3000
Steve Spears vs Shelby Twonship	D. Randall Gilmer	248-357-0000
Kirkland v. Renaissance	Scott Ross, Esq.	904-355-0225
Familia v. MRSH	Adam m. Pastis	407-843-8880
Megara v. Morell	Keith Puya, Esq.	561-655-1500
Soto v. Liberal (ED)	Allen G. Glendenning, Esq.	620-792-8231
Estate of Brown v. Fort Bragg (Army) ED	Paul M. Shea, Esq.	910-432-0606
Miragliotta v. Johnson & Johnson	James Gustavson, Esq.	850-224-7600

EXHIBIT S

25-001

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
MARY JANE GLOWCZENSKI and JEAN GRIFFIN,
Individually and as the Co-Administratrix
of the Estate of DAVID GLOWCZENSKI,

Plaintiffs,

- against -

**RULE 26 EXPERT
DISCLOSURE**

TASER INTERNATIONAL, INC.,
VILLAGE OF SOUTHAMPTON, SOUTHAMPTON
VILLAGE POLICE DEPARTMENT, POLICE OFFICER
Brian Platt, in his individual and official
capacity POLICE OFFICER Marla Donovan,
in her individual and official capacity
POLICE OFFICER Chris Wetter,
In his individual and official capacity,
POLICE OFFICER Arthur Schucht, in his
individual and official capacity, COUNTY OF SUFFOLK,
SUFFOLK COUNTY POLICE DEPARTMENT,
LIEUTENANT Jack Fitzpatrick, in his individual and
official capacity, LIEUTENANT Howard Lewis, in his
individual and official capacity and
John Doe 1-10, who are known by name to the
Defendants but as of yet are not fully known
to the Plaintiffs, OFFICE OF THE SUFFOLK
COUNTY MEDICAL EXAMINER, James C. Wilson, M.D.,
Deputy Medical Examiner, in his individual and official
Capacity, SOUTHAMPTON VILLAGE VOLUNTEER
AMBULANCE (a.k.a. SOUTHAMPTON E.M.T. UNIT),
Melissa Croke, EMT, in her individual and official capacity,
Keith Philips, EMT, in his individual and official capacity,
Tim Campbell, EMT, in his individual and official capacity,
and James Moore, Ambulance Driver, in his individual and
official capacity,

Defendants.

04 CV 4052
(SJF)(WDW)

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PLEASE TAKE NOTICE, that pursuant to Rule 26, Defendant, Brian Platt, by his
attorneys RUTHERFORD & CHRISTIE, LLP, will rely upon the expert testimony of Michael
Alan Graham, M.D.. at trial of this matter.


1. Dr. Graham's educational and work background have been set forth in his *curriculum vitae* which is annexed hereto as **Exhibit "A."**
2. A copy of Dr. Graham's expert report dated March 25 , 2009 is annexed hereto as **Exhibit "B."**
3. A list of cases in which Dr. Graham has provided expert testimony is annexed hereto as **Exhibit "C."**

Defendant BRIAN PLATT reserves the right to amend and/or supplement this disclosure up to and including the time of trial.

Dated: New York, New York
March 27, 2009

Respectfully submitted,

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EXHIBIT A

CURRICULUM VITAE

NAME: Michael Alan Graham

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St. Louis, Missouri 63104
(314) 977-7841

Office of the Medical Examiner
City of St. Louis
1300 Clark St.
St. Louis, Missouri 63103
(314) 622-4971

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PERSONAL HISTORY:

Date of Birth—9/26/51
Place of Birth—East Liverpool, Ohio
Citizenship—United States of America
Marital Status—Married
Children—Christopher (12-11-87)
Patrick (4-8-90)

EDUCATION:

1965-1969 Ursuline High School, Youngstown, Ohio
1969-1973 B.A.(biology), St. Louis University, St. Louis, Missouri
1973-1977 M.D., St. Louis University School of Medicine, St. Louis, Missouri

PROFESSIONAL TRAINING:

1977-1981 Resident, Anatomic and Clinical Pathology, St. Luke's Episcopal Hospital, Houston, Texas
1981-1982 Fellow, Forensic Pathology, St. Louis University School of Medicine, St. Louis, Missouri

MEDICAL LICENSURE:

1. Missouri

SPECIALTY CERTIFICATION:

1. Diplomate, American Board of Pathology
A. Anatomic and Clinical Pathology, 1981
B. Forensic Pathology, 1982

ACADEMIC APPOINTMENTS:

- 1979-1981 Lecturer in Pathology, School of Pharmacy, University of Houston, Houston, Texas
- 7/1/82-6/30/89 Assistant Professor of Pathology, St. Louis University School of Medicine, St. Louis, Missouri
- 7/1/89-6/30/96 Associate Professor of Pathology, St. Louis University School of Medicine, St. Louis, Missouri
1. Pathology Residency Committee (1986-1989)
 2. Director, Division of Forensic and Environmental Pathology (1989-1996)
 3. Director, Medicolegal Death Investigator Training Course (1989-1996)
- 7/1/96-current Professor of Pathology, St. Louis University School of Medicine, St. Louis, Missouri
1. Co-director, Division of Forensic and Environmental Pathology (1996-current)
 2. Co-director, Medicolegal Death Investigator Training Course (1996-current)

PROFESSIONAL ACTIVITIES:

- 1982-1985 Assistant Medical Examiner, St. Louis, MO
- 1985-1989 Deputy Chief Medical Examiner, St. Louis, MO
- 1985-current Deputy Medical Examiner, St. Louis County, MO
- 1985-current Diagnostic Cardiac Pathology, St. Louis University School of Medicine, St. Louis, MO
- 1988-current Medical Staff, St. Louis University Hospital, St. Louis, MO
- 1986-current Deputy Chief Medical Examiner, St. Charles County, MO
- 1989-current Chief Medical Examiner, St. Louis, MO
- Mass Casualties/Fatalities Response Planning Committee (2001)
- 1992-current Deputy Chief Medical Examiner, Jefferson County, MO
- 1999-2000 Forensic Pathology Consultant, Office of Special Counsel (John C. Danforth), Investigation concerning the 1993 confrontation at the Mt. Carmel (Branch Davidian) Complex, Waco, TX

INVITED LECTURES (Partial Listing):

Medicolegal Death Investigator Training Course, St. Louis University School of Medicine, St. Louis, MO

- 1982-current Asphyxial Deaths
- 1985-current Deaths Due to Bombs and Explosions
- 1985-current Deaths Due to Firearms
- 1988-current Introduction to Forensic Pathology
- 1997-current Deaths Occurring in Custody

Forensic Administration Conference, St. Louis University School of Medicine (1986)

Decision-Making Methods That Will Aid in Determining Standard Operating Procedure for Case Acquisition and Handling

Washington University Dental School

1984-88 Basic Forensic Pathology

St. Luke's Episcopal Hospital (Houston, Texas)

1984 Selected Topics in Forensic Pathology (5 day lecture series)

St. Louis Metropolitan Major Case Squad
1986-87 Asphyxia and Firearm Deaths
5/22/90 Asphyxia and Firearm Deaths

St. Louis Police Academy Homicide Investigation Training Course
1985-87 Asphyxia and Firearm Deaths

American Academy of Forensic Sciences Annual Meeting (1988)
Annual Lectureship in Forensic Toxicology,
"Safe Handling of Contagious Specimens"

Symposium on Care of the Multiple Trauma Patient sponsored by The University Hospital and The American Association of Critical Care Nurses, St. Louis, MO
"Mechanisms of Firearm Injuries" (5/24/89)
"Investigative Aspects of Forensic Pathology" (5/11/90)
"Interpretation of Firearm Injuries" (5/3/91)

Annual Court Conference, Missouri Association for Court Administration (5/25/89)
"The Risk of AIDS Among Courtroom Personnel"

Statewide Conference on Sudden Infant Death Syndrome, Columbia, MO (10/6/89)
"SIDS - Evaluation of the Death Scene as a Necessary Component of the Diagnosis"

Pre-hospital Trauma Symposium sponsored by St. Louis University Medical Center, St. Louis, MO
"Postmortem Perspectives" (3/2/90)
"Postmortem Forensic Examination" (9/28/90)

Southwestern Illinois Law Enforcement Commission Homicide & Criminal Sexual Assault Seminar (4/19/90)
"Modes of Violent Death"

Symposium on Pediatric Trauma ("A step beyond resuscitation for the severely injured child") sponsored by Cardinal Glennon, Children's and St. Louis Children's Hospitals (11/2/90)
"Forensic Aspects of Pediatric Trauma"

Fifth Annual Mid-America Transplant Association "Gateway to Life" Symposium, St. Louis, MO (4/26/91)
"Role of the Medical Examiner in Organ & Tissue Donation"

National Convention of the National Association of Legal Investigators, St. Louis, MO (6/18/92)
"The Role of the Forensic Pathologist in Medical/Legal Investigations"

Eighth Medicolegal Investigation of Death Seminar, West Virginia University School of Medicine, Morgantown, WV (4/3/93)

"Deaths Due to Asphyxia"
"Deaths Due to Bombings and Explosions"

Forensic Pathology Symposium, Peoria, IL (5/15/93)
"Deaths Due to Firearms"
"Deaths Due to Bombings and Explosions"

Missouri Department of Health Seminar ("SIDS-Taking Care of the Caregiver"), St. Louis, MO (6/30/93)
"Diagnosis of SIDS-Parameters and Significance"

Citizen's for Missouri's Children Seminar (Kids Count in Missouri), St. Louis, MO (11/3/93)
"What Kids Count Outcome Measures Tell Us About Child Safety"

Washington University Medical Center, Department of Neurosurgery Grand Rounds, St. Louis, MO (1/12/94)
"Interpretation of Firearm Injuries"

Washington University Medical Center, Trauma Symposium ("Crisis in the Streets"), St. Louis, MO (2/25/94)
"Recognition & Interpretation of Injuries & Evidence"

Cardinal Glennon Children's Hospital, Grand Rounds, St. Louis (4/6/94)
"Identifying Death Due to SIDS-Where are we and Where are we Going?"

International Society for Clinical Laboratory Technology (8/11/94)
"Forensic Medicine and the Laboratory"

Minnesota Coroners' and Medical Examiners' Association Annual Forensic Science Seminar (October 6-7, 1994)
"Medicolegal case management"
"Injury and Death Due to Firearms"
"Asphyxial Deaths"
"Bombs and Explosions"
"Role of the Medical Examiner in Organ and Tissue Transplantation"
"Deaths in Police Custody"

Medicolegal Investigation of Death and Injury in Child Abuse and SIDS Seminar, Federal Bureau of Investigation and the College of American Pathologist, Salt Lake City, UT (August 14, 1995)
"Sudden Infant Death Syndrome-Investigation and Diagnosis"

American Society of Clinical Pathology --College of American Pathologists fall meeting, New Orleans, LA (September 21, 1995)
"Forensic Aspects of Pulmonary Pathology"

1996 Spring Training Session, Missouri Coroners & Medical Examiners Association, Jefferson City, MO (March 14, 1996)
"Asphyxial Deaths"
"Deaths in Police Custody"

American Society of Clinical Pathology - College of American Pathologists spring meeting, Boston, MA (4/24/96)
"Medicolegal Evaluation of Deaths in Custody"

American Association of Pathologists' Assistants Annual Conference, St. Louis, MO (9/20/96)
"Medicolegal Case Management - What to Do, When to Do it & What it Means"

American Society of Clinical Pathology -- College of American Pathologists fall meeting, San Diego, CA (October 3, 1996)
"Forensic Aspects of Pulmonary Pathology"

Missouri State Public Defenders Trial Skills Workshop, Lake of the Ozarks, MO (12/96)
"Introduction to Forensic Pathology"
"Injuries due to Firearms"

American Society of Clinical Pathology -- College of American Pathologists spring meeting, Chicago, IL (April 5, 1997)
"Covert Hazards in the Work place" in "The Role of the Pathologist
in the Evaluation of Work-Related Illness, Injury and Death"

POST Blast Investigation Training, Fort Leonard Wood, MO (6/5/98)
"Forensic Pathology--Explosions"

Northwestern University Traffic Institute 21st National Vehicular Homicide/DUI Conference, Chicago, IL (7/7/98)
"Forensic Pathology and the Vehicular Homicide Case"

Department of Surgery Grand Rounds, St. Louis University, St. Louis, MO (9/3/98)
"Firearm Injuries"

Child Death Investigation Seminar, Idaho Dept. of Health and Welfare, St. Luke's Regional Medical Center CARES program, Idaho Dept. of Law Enforcement POST Academy, Boise, Idaho (9/8-9/98)

- "Child Fatality Review in Missouri"
- "Introduction to Death Investigation Principles"
- "Evaluation of Suspected Rebreathing Incidents"
- "Head and Neck Injury and Shaking"
- Presentation of cases (multiple topics)

American Academy of Forensic Sciences workshop: Postmortem Pediatric Forensic Toxicology-Issues in Childhood Poisoning, Orlando, FL (2/19/99)

- "Preparing for and recognizing potential toxicologically-related pediatric deaths: A forensic pathology perspective"
- "Case roundup: A survey of interesting and unique cases"

American Academy of Forensic Sciences Annual Meeting, Orlando, FL (2/22/99)

- "Asphyxial deaths"

Greater St. Louis Area Major Case Squad 34th Annual Retraining Session, St. Louis, MO (3/8/99)

- "Evaluation of Deaths Related to Custody"
- "Medicolegal Evaluation of Death and Injury due to Explosion"

POST Blast Investigation Training, Fort Leonard Wood, MO (4/20/99)

- "Explosion Investigation—Role of the Forensic Pathologist"

Emergency medicine grand rounds, Barnes-Jewish Hospital, St. Louis, MO (8/10/99)

- "Firearms and ballistics"

Barnes-Jewish Hospital Trauma Symposium, St. Louis, MO (2/4/00)

- "Interpretation of Patterns of Injury"

Missouri Dental Association, Missouri Emergency Response Identification Team, Jefferson City, MO (2/5/00)

- "Introduction to Forensic Pathology"
- "Firearm Injuries"
- "Investigation of Deaths Due to Explosions"
- "Asphyxial Deaths"

American Academy of Forensic Sciences Annual Meeting, Reno, NV (2/24/00)

- "Asphyxial Deaths"
- "Gunshot Wounds"

American Society of Clinical Pathology—College of American Pathologists Spring Meeting, Boston, MA (4/8/00)

- "Forensic aspects of pulmonary pathology"

Student National Medical Association, Region II conference, St. Louis, MO (11/4/00)

- "Introduction to forensic pathology"

American Academy of Forensic Sciences Annual Meeting, Seattle, WA (2/22/01)

- "Bombing Injuries"

Sudden Infant Death Syndrome Alliance, Chicago, IL (4/21/00)

- "SIDS—Diagnostic Issues"

American Association of Legal Nurse Consultants, St. Louis Chapter, St. Louis, MO (10/26/01)

- "Introduction to Forensic Pathology"

Public Agency Training Council, San Antonio, TX (11/26/01)

- "Pathology Investigative Aspects of Cause, Mechanism and Manner of Death"

Department of Surgery Grand Rounds, St. Louis University Health Sciences Center, St. Louis, MO (5/1/02)
"Bombs and Explosions"

Missouri Society for Histotechnology Annual Spring Symposium, Lake of the Ozarks, MO (5/18/02)
"Case Studies in Forensic Pathology"

30th Annual Florida Medical Examiners Educational Conference, University of Florida, Gainesville, FL (8/24/02)
"Medicolegal Evaluation of Bombs and Explosions"

Mealey's National Asbestos Litigation Conference 2000, Philadelphia, PA (9/19/02)
"Low Dose Exposure Cases: The Medicine"

American Academy of Forensic Sciences Annual Meeting, Chicago, IL (2/20/03)
"Asphyxial Deaths"

Improving Patient Care Through Forensic Science, Department of Veterans Affairs, San Diego, CA (4/24/03)
"Asphyxial Deaths"

Wisconsin Coroners and Medical Examiners Association Annual Conference, Portage, WI (6/13/03)
"Explosion-related Deaths"
"Deaths in Custody"

Department of Internal Medicine Grand Rounds, St. Louis University, St. Louis, MO (11/21/03)
"Non-Arteriosclerotic Sudden Unexpected Cardiac Death in Young Persons"

American Academy of Forensic Sciences Annual Meeting, Dallas, TX (2/19/04)
"Explosion-related Deaths"

Cardiovascular Pathology Specialty Conference, USCAP meeting, Vancouver, BC, Canada (3/9/04)
"Non-Arteriosclerotic Sudden Unexpected Cardiac Death in Young Persons"

University of Michigan, Department of Pathology, Ann Arbor, MI—Visiting Professor (10/15/04)
Review of cases
"Basic Interpretation of Firearm Injuries"

Michigan Association of Medical Examiners annual meeting, Mt. Pleasant, MI (10/16/04)
"Interpretation of Firearm Injuries"
"Evaluation of Death and Injury due to Bombs and Explosions"

Mealey's Silica Litigation Conference, New Orleans, LA (10/25/04)
"The Pathology of Silica-related Diseases"

Missouri State Public Defender Winter Workshops, Lake of the Ozarks, MO (12/2/04)
"Determining Cause of Death"

American Academy of Forensic Sciences Annual Meeting, New Orleans, LA (2/24/05)
"Asphyxial Deaths"

Missouri Society for Histotechnology, Lake Ozark, MO (5/20/05)
"Case Studies in Forensic Pathology—Sudden Death Related to Pregnancy"

Pulmonary Pathology Society 2205 Biennial Pathology Symposium, Lake Annecy, France (6/16/05)
"Forensic Issues in Pulmonary Pathology"

Mealey's Asbestos-Related Diseases Teleconference (10/25/05)
"Malignant Mesothelioma—101"

Defense Research Institute Asbestos Medicine Seminar, Miami Beach, FL (11/4/05)
"Causation—Thresholds of Exposure, Fiber Burden Studies and Criteria for Attribution of Asbestos-related Diseases"

Mealey's Asbestos Medicine Seminar, Philadelphia, PA (2/13/06)
"Asbestos-related Lung Disease"
"Asbestos-related Pleural Disease—Malignant Mesothelioma"

American Academy of Forensic Sciences Annual Meeting, Seattle, WA (2/23/06)
"Deaths in Custody"

Arch Air Medical Services "Trends in Emergency Care", St. Louis, MO (3/16/06)
"Forensics—Death Investigation"

Washington University Division of Geriatrics and Nutritional Science and Center for Aging, St. Louis, MO (3/17/06)
"The Law: What should be reported to the Medical Examiner? A look at health disparities from the Medical Examiner's perspective"

Mealey's Asbestos Medicine Conference, Chicago, IL (4/10/06)
"Low Dose and Secondary Exposure Cases: The Medicine and its Application in the Litigation"

Defense Research Institute Silica Medicine Seminar, Dallas, TX (6/16/06)
"Pathological Differential Diagnosis Between Asbestosis and Silicosis and Lung Cancer"

Defense Research Institute Asbestos Medicine Seminar, Las Vegas, NV (10/27/06)
"The Medical Aspects of Substantial Contributing Factor and Mesothelioma—Medical Factors to Consider"

Mealey's International Asbestos Conference, London, UK (11/1/06)
"Medicolegal Aspects of Asbestos-related Lung Disease—Lung Cancer"

Sudden Death, Excited Delirium and In-Custody Death Conference, Institute for the Prevention of In-Custody Deaths, Las Vegas, NV (11/16/06)
"Medicolegal Evaluation of In-Custody Deaths"

Missouri State Public Defender Conference, St. Louis, MO (12/11/06)
"Cause and Time of Death"

Mealey's Asbestos Conference: the New Face of Asbestos Litigation, Washington, D.C. (2/8/07)
"Malignant Mesothelioma—Overview, 2007"

American Academy of Forensic Sciences, Dallas, TX (2/07)
"Investigation of Deaths due to Asphyxia"

Louisiana Collaborative—Balancing Forensics and Donation, White Castle, LA (4/19/07)
"Medicolegal Investigation of Deaths in Custody"
"Role of the Medical Examiner in Organ and Tissue Transplantation"

Mealey's Asbestos Super Conference, Scottsdale, AZ (9/27/07)
"Diagnosis of Malignant Mesothelioma—2007"

American Academy of Forensic Sciences, Washington DC (2/08)
"Medico-legal Investigation of Deaths in Custody"

Asbestos: Current Issues and Effective Litigation Tactics, Clayton, MO (4/10/08)
"The role of the pathologist in asbestos litigation"

Mealey's National Asbestos Litigation SuperConference, Scottsdale, AZ (9/22/08)
"Localized Malignant Mesothelioma"

Defense Research Institute Asbestos Medicine Seminar, Las Vegas, NV (11/7/08)
"Importance of tumor subtypes in assessing causation"

Southeastern Nova University Forensic Sciences Seminar, Fort Lauderdale, FL (11/14/08)
"Evaluation of Asphyxial Deaths"

American Academy of Forensic Sciences, Denver, CO (2/09)
"Asphyxial Deaths"

Mealey's "Emerging Trends in Asbestos Litigation" conference, Beverly Hills, CA (3/10/09)
"Significance of tumor subtypes in assessing causation"

SOCIETIES & ACTIVITIES:

American Academy of Forensic Sciences

- Program Co-chairman, 1984 national meeting, Anaheim, California
- Plenary Program Co-chairman, 1987 national meeting, San Diego, California
- Pathology/Biology Section Secretary (1991-92)
- Pathology/Biology Section Chairman (1992-1993)
- Pathology/Biology Section Program Committee (1997-1998)

National Association of Medical Examiners

- Education and Publications Committee (1986-1996)
- Tissue Banking Committee (1986-1993)
- Committee on Pediatric Toxicology Registry (1986-1992)
- Committee on Medical Device Malfunction (1987)
- Board of Directors (1988-2005)
- Executive Committee (1989-2005)
- Secretary-Treasurer (1989-2002)
- Vice-president (2003)
- President (2004)
- Chairman, Board of Directors (2005)

National Association of Medical Examiners Foundation

- Member, Initial Board of Trustees (2006)
- Member, Board of Trustees (2006-current)
- Treasurer, Board of Trustees (2006-current)

College of American Pathologists

- Forensic Pathology Committee (1989-1999)
- Forensic Pathology Committee (2007-current)

United States and Canadian Academy of Pathology

Society for Cardiovascular Pathology

Sudden Infant Death Syndrome Resources
Medical Advisory Board (1988-1995)

American Board of Pathology

- Forensic Test Committee (1992-1997)

Mid-America Transplant Association

- Board of Directors (1991-current)

American Journal of Forensic Medicine and Pathology
Editorial Board (1992-current)

State of Missouri East Regional Trauma Committee
Member (1992-disbanded circa 1994)

Missouri State Child Fatality Review Board
Spokesperson, Pathologists' Network (1992-1996)

American Red Cross, Tissue Services
National Medical Examiner/Coroner Advisory Committee (1999-current)
Spokesperson (2003-2004)

Pulmonary Pathology Society

U.S. Department of Health and Human Services
Organ Donation Breakthrough Collaborative Leadership Coordinating Council (2004-2006)

U.S. National Institute of Justice
General forensic technical working group (2005-2007)
NIJ/NAME EMDD Literature Review Project reviewer (2007)

National Center for Child Death Review Steering Committee (2005-2006)

TASER International, Inc.
Scientific and medical advisory board (11/2007-current)

AWARDS:

President's Award, Sudden Infant Death Syndrome Resources (1986)

Health Professional of the Year (1992), Combined Health Appeal of Greater St. Louis

Gift of Life Award, Mid-America Transplant Services and the National Kidney Foundation (1995)

Outstanding Service Award, National Association of Medical Examiners (1999)

Roland Quest Annual Award, Dept. of Pathology, St. Louis University (4/26/00)

PUBLICATIONS:

1. Graham, M., Butler, D. and Milam, J., "Thoracic Aortic Thrombi and Hypercoagulability," Cardiovascular Diseases, Dec. 1981, pp. 475-479.
2. Graham, M., Poklis, A., Mackell, M. and Gantner, G., "A Case of Suicide Involving the Concomitant Intravenous Injection of Barbitol and the Oral Ingestion of Arsenic," Journal of the Forensic Sciences, JFSCA, Vol. 28, No. 1, Jan. 1983, pp. 251-254.
3. Bagherian, V., Graham, M., Gerson, L.P. and Armstrong, D.L., "Double Pituitary Glands with Partial Duplication of Facial and Forebrain Structures with Hydrocephalus," Computerized Radiol., Vol. 8, No. 4, 1984, pp. 203-210.
4. Cohle, S.D., Graham, M.A., "Sudden Death in Hemodialysis Patients," Journal of Forensic Sciences, JFSCA, Vol. 30, No. 1, Jan. 1985, pp. 158-66.
5. Mackell, M., Gantner, G., Poklis, A. and Graham, M., "An Unsuspected Arsenic Poisoning Murder Disclosed By Forensic Autopsy" American Journal of Forensic Medicine and Pathology, 6(4):358-361, Dec, 1985.

6. Cohle, S.D., Graham, M.A. and Pounder, D.J., "Nonatherosclerotic Sudden Coronary Death," *Pathology Annual*, Vol. 21, Part 2: pp. 217-249, 1986.
7. Poklis, A., Mackell, M. and Graham, M., "Disposition of Cocaine in Fatal Poisoning in Man," *J Analytical Toxicology*, Vol. 9, Sept/Oct, 1985.
8. Graham, M., Hileman, F., Kirk, D., Wendling, J. and Wilson, J., "Background Human Exposure to 2,3,7,8-TCDD," *Chemosphere*, Vol. 14, No. 6/7, pp. 925-928, 1985.
9. Graham, M., Hileman, F. D., Orth, R. G., Wendling, J. M. and Wilson, J. D., "Chlorocarbons in Adipose Tissue From a Missouri Population," *Chemosphere*, Vol.15, Nos. 9-12, pp 1595-1600, 1986.
10. Newman, A.J., Graham, M.A., Carlton, C.G., Jr., Lieman, S.: "Incidental carcinoma of the prostate at the time of transurethral resection: Importance of evaluating every chip." *J. Urol* 1982; 128:948-50.
11. Hope, W., William, J., Gantner, G. and Graham, M., "Unacceptable Causes of Death," *Metro Medicine*, pp. 432-435, September, 1986.
12. Sotelo-Avila, C., Graham, M., Hanby, D. and Rudolph, A., "Nevus Cell Aggregates in the Placenta--A Histochemical and Electron Microscopic Study," *Am J Clin Path* 1988; 89:395-400.
13. Cohle, S., Graham, M., Dowling, G. and Pounder, D., "Sudden Death and LeftVentricular Outflow Disease," *Pathology Annual* 1988 (Part 2): 97-124.
14. Cohle, S., Trestrail, J., Graham, M., Oxley, D., Walp, B. and Jachimczyk, J., "Fatal Pepper Aspiration," *Am J Dis Child* 1988:633-636
15. Cohle, S., Graham, M., Sperry, K. and Dowling, G., "Unexpected Death Due to Infective Endocarditis," *Journal of the Forensic Sciences, JFSCA*, Vol 34, No. 6, Nov. 1989, pp 1374-1386.
16. Poklis, A., Graham, M., Maginn, D., Branch, C. and Gantner, G., "Phencyclidine and Violent Deaths in St. Louis, Missouri: A Survey of Medical Examiners' Cases from 1977 through 1986," *Am J Drug Alcohol Abuse*, 16(3&4), pp 265-274 (1990).
17. Kemp, J., Kowalski, R., Burch, P., Graham, M. and Thach, B., "Unintentional Suffocation by Rebreathing: A Death Scene and Physiological Investigation of a Possible Cause of Sudden Infant Death," *J Pediatr* 1993; 122:881-6
18. Miller, L., Wesp, A., Jennison, S., Graham, M., Martin, T., McBride, L. Pennington, D. and Peigh, P., "Vascular Rejection in Heart Transplant Recipients," *J Heart Lung Transplant*, 1993; 12:S147-52.
19. Zimmerman, S., Adkins, D, Graham, M., Petruska, P., Bowers, C., Vrahnos, D. and Spitzer, G., "Case Report: Irreversible, Severe Congestive Cardiomyopathy Occurring in Association with Interferon Alpha Therapy," *Cancer Biotherapy* 1994; 9:291-299.
20. Tracy, T.F., Silen, M.L. and Graham, M.A., "Delayed Rupture of the Abdominal Aorta in a Child Following a Suspected Handlebar Injury," *J Trauma*, 1996; 40:119-120.
21. Filkins, J.A., Cohle, S., Levy, B.K. and Graham, M.A., "Unexpected Deaths Due to Colloid Cysts of the Third Ventricle," *J Foren Sci, JFSCA*, 1996; 41: 521-523.
22. Donoghue, E.R., Graham, M.A., Jentzen, J.M., Lifschultz, B.D., Luke, J.L., and Mirchandani, H.G., "Position paper: Criteria for the Diagnosis of Heat-Related Deaths," *National Association of Medical Examiners, Am J Forensic Med & Pathol* 1997; 18(1):11-14
23. Winters, G.L., McManus, B.M., for the Rapamycin Cardiac Rejection Treatment Trial Pathologists, "Consistencies and Controversies in the Application of the International Society of Heart and Lung Transplantation Working Formulation for Heart Transplant Biopsy Specimens," *J Heart and Lung Transplantation*, 1996; 15:728-735.

24. Long, C., Crifasi, J., Maginn, D., Graham, M., and Teas, S., "Comparison of Analytical Methods in the Determination of Two Venlafaxine Fatalities," *J Analytic Tox*, 21:166-169, 1997.
25. Graham, M and Hutchins, G, "Forensic Pathology--Pulmonary Pathology," *Clin Laboratory Med*, 1998; 18:241-262.
26. Randall BB, Fierro MF and Froede RC for the Members of the Forensic Pathology Committee, College of American Pathologists, "Practice Guideline for Forensic Pathology," *Arch Pathol Lab Med*, 1998; 122:1056-1064
27. Kemp J, Unger B, Wilkins D, Psara R, Ledbetter T, Graham M, Case M and Thach B, "Unsafe Sleep Practices and an Analysis of Bedsharing Among Infants Dying Suddenly and Unexpectedly: Results of a Four-Year, Population-based, Death-scene Investigation Study of Sudden Infant Death Syndrome and Related Deaths," *Pediatrics*, 2000; 106(3). URL:<http://www.pediatrics.org/cgi/content/full/106/3/e41>
28. Case ME, Graham MA, Corey Handy T, Jentzen JM and Monteleone J: The National Association of Medical Examiners Ad Hoc Committee on Shaken Baby Syndrome, "Position Paper on Fatal Abusive Head Injuries in Infants and Young Children," *Am J Forensic Med and Pathol*, 2001; 22(2):112-122
29. Unger B, Kemp JS, Wilkins D, Psara R, Ledbetter T, Graham M, Case M and Thach BT, "Racial disparity and modifiable risk factors among infants dying suddenly and unexpectedly," *Pediatrics*, 2003; 111(2):E127-31.
30. Pinckard JK and Graham MA, "Heart valve tissue donation does not preclude the diagnosis of clinically significant pediatric cardiac abnormalities," *Am J Forensic Med Pathol*, 2003; 24:248-253.
31. Pinckard JK and Graham MA, "Pediatric Heart Valve Tissue Donation," *ASCP Check Sample (FP04-1)*, 2004; 46(1):1-9.
32. Pinckard, JK and Graham MA, "Fat Embolism," *ASCP Check Sample (FP04-3)*, 2004; 46(3):25-37
33. Bhalodolia r, Cortese C, Graham M and Hauptman P, "Fulminant Acute Cellular Rejection with Negative Findings on Endomyocardial Biopsy", *J Heart and Lung Transplantation* 2006;25:989-92
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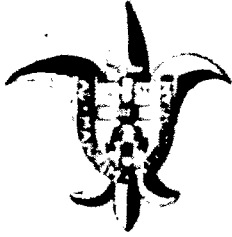
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3/14/09

EXHIBIT B



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Medical Center
Division of Forensic Pathology
Department of Pathology

March 25, 2009

Jeltje DeJong
Devitt Spellman Barrett, LLP
50 Route 111
Smithtown, NY 11787

Re: David Glowczenski

Dear Ms. DeJong:

At your request I reviewed records pertaining to David Glowczenski (DOB 4/19/68). The purpose of this review is to evaluate Mr. Glowczenski's cause of death, including factors that may or may not have contributed to his death.

I am a forensic pathologist certified by the American Board of Pathology in anatomic, clinical and forensic pathology (AP/CP, FP). I have been a medical examiner since 1982 and currently the Chief Medical Examiner for the City of St. Louis, MO. I am also a Professor of Pathology at St. Louis University. A copy of my curriculum vitae and a list of prior testimony accompany this report.

My professional activities are compensated at \$400/hour plus expenses.

Available for my review are records from the Suffolk County Police Department; pre-hospital care report; Southampton Hospital record; Suffolk County Medical Examiner's Office records, including Dr. Mash's report; plaintiff's attorney's Notice of Claim; Southampton Village Police use of force policy; 7/7/04 municipal hearing transcripts of Mary Jane Glowczenski and Jean Griffin; County crime laboratory records; pre-incident health records; photographs; and, depositions of P.O. Donovan, P.O. Platt, P.O. Wetter, Sgt. Schucht, Lt. Lewis and Dr. Wilson.

Mr. Glowczenski has a history of schizophrenia. The Southampton Hospital Emergency Department record from the date of death indicates that Mr. Glowczenski is "well known to ER--brittle diabetic". His family called the police at 9:09 am on 2/4/04

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indicating he had not been taking his medications and was creating a disturbance. He apparently had not taken his medications during the preceding 2 weeks and was manic, hearing voices and having insomnia. The family indicated that they would take him to the hospital. The family called the police again at 10:31 am indicating Mr. Glowczenski was violent and that he had left the house. He was walking on the sidewalk when he encountered the police. He was carrying two books (a Bible and a book with a skeleton-like image) and said he was doing warfare and hearing voices. He also told the police officer that he didn't want to go to the hospital. Mr. Glowczenski attempted to leave and, in doing so, his arm struck a police officer. The police decided to take him into custody. The police forcibly restrained him. Restraint techniques included physical force, pepper spray and the use of an electric control weapon (ECW—Taser M-26 deployed in the drive stun mode). Mr. Glowczenski was wrestled to the ground where he was kicking and exhibiting supra-normal physical strength. The police were initially unable to secure his hands. One officer was apparently lying across Mr. Glowczenski's upper middle back and another officer on the upper right shoulder area. Another officer was attempting to control the legs/feet. Mr. Glowczenski continued to scream and kick. The officer attempting to control the legs was situated to Mr. Glowczenski's right when the officer used his Taser. The Taser M-26 was discharged multiple times in the drive stun mode to the lower body with no apparent effect. The Taser probes were not discharged. An officer estimated the Taser was discharged approximately ¼-1 ½ minutes into the struggle. Shortly after the Taser had been used another officer sprayed Mr. Glowczenski (two 1 second sprays) with pepper spray (Armor Holdings 5.5% peppermace). He told the officer to quit spraying him, had his eyes shut and had a runny nose. The officer thought the spray may have had some effect since they were able to get control of Mr. Glowczenski's right arm. The officers got off Mr. Glowczenski when they had control of his right arm. An officer estimates that they gained control of the arm 1-2 minutes into the struggle. His arms were cuffed using 2 sets of handcuffs. He reportedly was not struck with any objects and no neck compression hold was applied during the encounter. He continued to kick and talk after he was restrained. He reportedly was banging his face/forehead on the sidewalk. After unsuccessfully attempting to secure the legs with tape, a plastic zip cuff was used to secure his ankles. He was moved from the sidewalk to the grass during which time he continued to kick. A witness indicated Mr. Glowczenski was restrained on the ground in the prone position with his hands/ankles bound. Another witness reported that Mr. Glowczenski was yelling and attempting to get up after he was on the ground. A third witness indicated the struggle lasted circa 3-5 minutes. An officer testified that he told Mr. Glowczenski to stop struggling so the officers could sit him up. Mr. Glowczenski reportedly said "okay" and then, as color drained from his face, abruptly became still and unresponsive. This occurred just before the ambulance arrived. EMS had been called at 10:42 am and arrived at 10:47 am. Another note indicates EMS saw Mr. Glowczenski prone on the lawn at 10:44 am or 10:45 am. Upon arrival of the first medical responder, Mr. Glowczenski was turned over and found to be without pulse

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and breathing. An ambulance attendant indicated Mr. Glowczenski was already in cardiopulmonary arrest. CPR was instituted (EMS note says CPR commenced at 10:46 am). Mr. Glowczenski's skin was cool and moist. An AED indicated "no shock". The ambulance left to take him to the hospital at 10:56 am. He arrived at the hospital at 10:59 am. He was asystolic in the emergency department. Resuscitative efforts were unsuccessful and he was pronounced dead at 11:19 am. A postmortem examination was conducted at the Suffolk County Medical Examiner's Office.

The postmortem examination (04-487) was conducted by Deputy Medical Examiner James Wilson, M.D. Mr. Glowczenski's body was approximately 71 inches long and weighed approximately 207 pounds. Abrasions and contusions were present on the face. The conjunctivae were congested but no focal lesions were identified. There were 2 scratches on the neck. Scratches, abrasions and/or contusions were noted on the lower anterior chest, low back, knees and hands. Marks on the wrist were consistent with handcuff marks. There were 9 pairs of 1/8-1/4 inch marks that were 1 1/4 - 1 3/5 inches apart. These marks were on the right lateral thoracoabdominal wall; right lateral hip; right low back; and, right low buttock/thigh. His heart weighed 410 grams and had a prominent left ventricular contour. The left ventricle was 15-16 mm thick. Microscopic examination of left ventricular tissue showed myofiber hypertrophy and mild interstitial fibrosis. Finely nodular cirrhosis was also noted. Toxicologic analysis of blood demonstrated the presence of citalopram and aripiprazole. Hydroxyzine was identified in the liver. No drugs of abuse were identified. Brain tissue was submitted to Dr. Deborah Mash's laboratory at the University Of Miami School Of Medicine for neurochemical analysis of dopamine transporters. Dr. Mash's analysis demonstrated a reduction in the overall density of dopamine transporter sites. The markedly lower numbers of radioligand binding sites on the dopamine transporter demonstrated in Mr. Glowczenski's brain were noted to be consistent with results seen for agitated delirium victims. Dr. Wilson ultimately concluded that Mr. Glowczenski died of "acute exhaustive mania due to schizophrenia". The manner of death was "natural".

The Taser M-26 was examined and it was noted that there was a problem with the data storage in the device. The energy output was determined to be normal. The internal clock was incorrect. The device had been activated at least 4, and possibly 5, times. Four definite discharges were noted within a 39 second interval.

Photographs of the body demonstrate abrasions with focal contusion on the face. These injuries are concentrated over the mid-low forehead, superior orbital and malar/zygomatic areas. There is some conjunctival edema. A few petechiae and confluent (few mm) hemorrhages are present on the palpebral conjunctivae. There is a discontinuous horizontal scratch across the anterior and left anterolateral neck. A small abrasion is present on the superior anterolateral left neck. There are abrasions and

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contusions characteristic of handcuff marks on the wrists. Non-specific abrasions are present on the dorsum of the hands/fingers. The knees are abraded. There are several (8-9) oval-rectangular paired small abrasions on the lateral and posterolateral right flank/hip, lateral right thigh and right lumbar area. Some of these marks appear to be associated with epidermal burning. Photographs of the soft tissues of the neck demonstrate what appears to be some focal mild hemorrhage of the connective tissue anterior to the right sternocleidomastoid muscle, posterior right sternocleidomastoid fascia hemorrhage, soft tissue hemorrhage posterior to the left sternocleidomastoid muscle and proximal right carotid artery sheath hemorrhage. No fractures of the larynx or hyoid bone are evident. There is a focus of mild hemorrhage in the soft tissue inferomedial to the left scapula.

Mr. Glowczenski demonstrated characteristic features of the syndrome of agitated delirium. Sudden death is a recognized complication of agitated delirium. Sudden death in the setting of agitated delirium and forcible restraint typically occurs shortly after exertion ceases or restraint is accomplished. Deaths due to agitated delirium are sudden and are not predictable. In addition, sudden death during an episode of agitated delirium is a well-recognized entity unrelated to the use of any particular restraint technique.

Although a variety of restraint devices/techniques have been used in some cases of sudden death associated with agitated delirium, no proven direct contribution of these devices to death has been established. Individuals most at risk of dying suddenly while in custody during an episode of agitated delirium are the same persons most likely to require the use of restraint techniques/devices.

The efficacy of the current TASER device models is based on the delivery of a high voltage, low amperage electrical pulse to the body. In the stun drive mode, the electrical pulse is delivered over a relatively localized area and functions as a pain compliance technique.

Pepper spray is also a pain compliance agent. Pain is elicited by its irritant effect on the skin, conjunctivae and oronasopharyngeal mucosa.

I am not aware of any epidemiological studies that have established over-representation of the use of pepper spray and/or TASER devices or other electrical restraint devices in cases of agitated delirium-related fatalities.

The marks seen on Mr. Glowczenski's body are consistent with the accounts of the police officers indicating he was involved in a violent struggle, repeatedly struck his face onto the ground and received multiple applications of a Taser device in the drive stun mode.

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Based on the available information it is my opinion to a reasonable degree of medical certainty that Mr. Glowczenski died of agitated (excited) delirium that arose as a complication of his pre-existing psychosis (schizophrenia). My opinions as to cause and manner of death are in agreement with the opinions expressed by Dr. Wilson in his report.

Thank you for referring this matter to me. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,

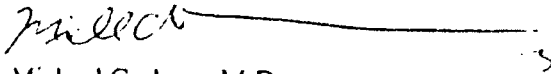

Michael Graham, M.D.
Professor of Pathology

EXHIBIT C

DR. MICHAEL GRAHAM'S TESTIMONY LIST

Date	D/ T	Case Name	Court	Case No.
1/4/01 1/12/01	D	Barber, Cooper, Gettys, Stone, Hargis, Thompson, Dandy v. AC&S, et al.	Mad. Co., IL	99-L-907 99-L-388 99-L-111 00-L-25 99-L-799 00-L-20 99-L-775
2/13/01	D	Cornelius Crittenden Sellers, et al. v. Dresser Industries, Inc., et al.	TX	
4/16/01	D	Anderson v. Woranow	Sup. Ct. D. of Columbia	99-7622
4/19/01	D	Green v. Mo. Dept. of Transportation	Shannon Co., MO	CV799-94CC
5/1/01	D	Inman, Snodgrass, Lawr, Martin, Collins, Foster, Wahl, Rothe, Dougherty v. AC&S, Inc., et al.	Mad. Co., IL	00-L-119 00-L-23 00-L-112 99-L-1105 99-L-792 99-L-254 99-L-346 00-L-216 00-L-214
5/24/01	D	Snodgrass, Lawr, Dougherty v. Bendix, et al.	Mad. Co., IL	00-L-23 00-L-112 00-L-214
8/21/01	D	Hurd v. Columbia/Barlow	Polk Co., FL	G99-369-08
8/23/01	D	Hunt v. St. Louis Comm. College	St. Louis City, MO	982-00775
8/30/01	D	Cole v. AC&S, et al.,	MD	
10/22/01	D	Davis v. CSX Corporation	U.S. Dist. Ct. So. Dist. GA	CV 291-089
10/02/01	T	In re: New York City Asbestos	NY	
11/16/01	T	McGrath v. Barnes Hospital	St. Louis City, MO	992-00130

Date	D/ T	Case Name	Court	Case No.
1/17/02	D	Barnes, Burger, Cosney, Davis, Meyer, Weaver, Montgomery v. AC&S, et al.	Madison Co., IL	00-L-715 00-L-979 00-L-63 00-L-62 00-L-980 00-L-702 00-L-954
1/28/02	D	Munsey v. Sunbridge Health	U.S. Dist. Ct. So. Dist., IL	00-230-MJR
1/29/02	D	West Virginia Consolidated Circuit Court of Kanawha County, WV	Kanawha Co., W.V.	01-C-9002
2/28/02	D	Sherrell, Radocy v. Salvation Army	St. Louis City, MO	982-08495
4/9/02	D	Grotz, Kobler, Woodard, Laemmel, Mill, Hawkins, Ames, & Spurgeon v. AC&S Inc., et al.,	Madison Co., IL	00-L-716 00-L-977 00-L-58 00-L-978 00-L-54 00-L-694 00-L-718 00-L-56
5/13/02	D	Alexander v. AC&S	Dist. Ct. Orange Co., TX	010265-C
5/20/02	D	Graminski v. Allied Signal, et al.,	Mad. Co., IL	01-L-1661
5/22/02	D	Perez v. Avondale Industries	Dist. Court Parish of Orleans, LA	2001-4774
6/25/02	D	Medpro, et al.		
7/12/02	D	Rami v. AP Green Ind., et al.,	Madison Co., IL	02-L-6
7/25/02	D	Kasprick v. AC&S	Dist. Ct. Dallas Co., TX	DV01-04720- M
8/8/02	D	Rodriquez v. Crane Company	Sup. Ct. S.F., CA	401889
8/20/02	D	Hawkins, Spurgeon, Spickerman, Vincendt, Eichen, Branham v. John Crane, Inc., et al.	Madison Co., IL	00-L-694 00-L-718 00-L-717 00-L-703 00-L-683 00-L-974
8/29/02	D	Trout v. Isaac Stewart	Madison Co., IL	99-L-1062
10/14/02	D	Madden v. Able Supply Co.	Dist. Ct. Galveston Co., TX	00-CV-0988

Date	D/ T	Case Name	Court	Case No.
10/15/02	D	Doris Morgan, Spec. Adm. of Est. of Kenneth Morgan, deceased		
10/22/02	D	Richardson, Kirk		
11/22/02	D	Robinson, Dannie		
12/2/02	D	Carrasco v. Memorial Heath	Chatham Co., GA	199-2485G
12/13/02	T	Donald Cipov & Susan Cipov v. AC & S, Inc., et al	Tarrant Co., TX	141-189827-01
1/8/03	D	Johnson, et al. v. AC&S, Inc., et al.	Baltimore City, MD	24X01001863 24X02000667
1/8/03	D	Marcellino, Sibley, v. Porter Hayden Co., et al.	Baltimore City, MD	24X01001862 24X01001864
1/9/03	D	Patrick, A., et al. v. Board of Supervisors of LSU, et al.	Parish of Orleans, LA	93-10037
1/13/03	D	Miller, et al. v. Nancy Lynne Taylor, et al.	Knox Co. Cir. Ct., TN	1-50-01
1/31/03	D	Ankney v. Sapp, Fred Overton Custom Homes	Boone Co., MO	1399CC080452
2/23/03	D	Dillon v. Kwan, et al.	Hillsborough Co., FL	257314
2/26/03	D	Crater, Jackie v. Wyeth		
2/26/03	D	Bernard v. AC&S	Sup. Ct. L.A., CA	BC264506
3/13/03	D	Anderson v. Amoco Corp.	Dist. Ct. Montgomery Co. TX	00-10-06613
3/13/03	D	McWhorter v. Bondex International	13 th Dist. Ct. Wichita Co., TX	154, 273-A
3/13/03	D	Babineaux, Milton		
3/24/03	D	Busbea, et al. v. Kellogg, Brown & Root, et al.	Lubbock Co., TX	2000-513-902
3/14/03	D	Marshall, et al. v. AC and S, Inc., et al.	CA	
4/4/03	D	Kimberly v. Avondale Ind., et al.	Parish of Orleans, LA	99-07224
4/9/03	D	In re All Asbestos Litigation	Madison Co., IL	
4/10/03	D	Campbell v. Wash U. Med.	St. Louis City, MO	012-9369
4/11/03	D	G. Rucker and J. Rucker Hoene, Co-Spec. Adm. For Estate		
4/16/03	D	Wayland, Donahue & Williams		

Date	D/ T	Case Name	Court	Case No.
4/17/03	D	Beatrice LeGrande, et al vs. Avondale Industries, Inc. et al	Div. N	2001-18454
4/28/03	D	Baumgarten, Holder v. A. W. Chesterton	Sup. Ct. S.F., CA	414842 414546
5/6/03	D	Denkenberger – Ben-May 19, 2003 All Issue Cases		
5/8/03	D	Gray v. Southern Illinois Asphalt Co., et al.	Madison Co., IL	2-L-488
6/10/03	D	Lear v. CSX Transportation	Cir. Ct., 4 th Jud. Co., FL	01-08235-CA
6/10/03	D	Hickox v. CSX Transportation	Cir. Ct., 4 th Jud. FL	02-04835-CA
6/10/03	D	Tison v. CSX Transportation	Cir Ct., FL	02-04836-CA
6/10/03	D	Stemkowski, Stanley – Pathology of Bevan Group 7	Cuyahoga Co., OH	CV-396997
6/11/03	D	Clark, Hopkins, Jones, Lavallee, Potter v. Asbestos Defendants	Sup. Ct. S.F., CA	412036 408556 407782 415580 415030
7/9/03	D	Primeau v. Bigham Insulation	Cir. Ct. Miami, Dade Co., FL	02-21162-CA42
7/9/03	D	Hickey Group 1A, Comstock, Lloyd	Cuyahoga Cou, OH	372678
7/15/03	D	Harper v. Quizenberry (In re: Kelelman)	Wash. Co., IL	01-L-14
7/24/03	T	Jones, Potter v. Asbestos Defendants	Sup. Ct. S.F., CA	415030 415030
7/28/03	D	Sabin, Velasquez v. A. W. Chesterton	Sup. Ct. S.F., CA	400185 416023
7/29/03	D	Kerr v. Doerhoff	Boone Co., MO	98-CC-079561
8/7/03	D	Bannister v. Combustion Engineering	Kanawha Co., W.V.	03-C-9600
8/18/03	D	Winters v. Avondale Industries	St. Louis City, MO	2001-9229
8/19/03	D	Oliver v. Able Supply Co.	Dist. Ct. Travis Co., TX	99-06377
8/20/03	D	Canatella v. A. W. Chesterton Co., et al.	Baltimore, MD	24X02000017
8/26/03	D	Sanchez v. Borg Warner	Sup. Ct. L.A., CA	BC290003

Date	D/ T	Case Name	Court	Case No.
8/28/03 10/30/03	D	Smarty v. Costigan	St. Louis Co., MO	01CC-003561
9/9/03	D	Flock, Ind., and as Next Friend, Natural Father, and Heir	So. Dist. of Texas, Houston Div.	C.A.#H00- 3794
9/10/03	D	Miller, Ind., and as Spec. Adm. Of Estate of Charles	Sangamon Co., IL	2000 L 0375
9/11/03	D	Bertucci v. Northrop Grunman Systems Corp.	Dist. Ct. Parish of Orleans, LA	02-17551
9/12/03	D	Short, Robert – New Kelley Group 13 Pathology, Asbestos Litigation	Cuyahoga Co. OH	CV-444533
10/22/03	D	Varnadore v. CSX Transporation	Duval Co., FL	02-07566-CA
10/23/03	D	Davis, Robinson, v. Garlock, Inc., A. W. Chesterton Co., et al	Dist. Ct. Harris Co., TX	2002-28497
10/27/03	D	Perez, et al. v. Able Supply Co., et al.	Nueces Co., TX	01-04046-E
10/28/03	D	Melvin v. Pittsburgh Corning	Dist. Ct. Jefferson Co., TX	B-150,374 (AV)
10/28/03	D	Bailey, James		
10/28/03	D	Dalton, Richard		
11/19/03	T	Morgan, Spec. Adm. Est. of K. Morgan, deceased		
11/19/03	D	Jones, et al. v. Grandpas, et al		
12/5/03	D	Wood vs. CXS Transportation	Duval Co., FL	02-04833-CA
12/5/03	D	Williamson v. CXS Transportation	DuVal Co., FL	02-04834-CA
12/19/03	D	Nolan v. A. W. Chesterton Co. and Greene, Tweed and Co., Inc.	Vermilion Co. IL	01-L-117
1/5/04	D	Longnecker v. Betchel Corp., et al.	Madison Co., IL	01-L-13
1/13/04	D	Roth v. J. J. Brouk & Co.		75-112289 & 76-1
1/19/04	D	Barker v. Bondex International	Dallas Co., TX	03-11538-C
1/28/04	D	Russell v. General Motors, et al.	Cobb Co State Ct., GA	04-A 3682
1/30/04	D	Smith, et al. v. Able Supply, et al.	Dist. Ct. Bexar Co., TX	2001- C108509
2/5/04	D	Smith, et al. v. AC and S, Inc., et al.	MD	
2/25/04	D	Weber vs. Asbestos Defendants	Sup. Ct. S.F., CA	425210
3/1/04	D	LaChapelle v. American Standard	Sup. Ct. L.A., CA	BC303899

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3/2/04	D	McGovney v. Gold Coast Aviation Industrial Commission		00WC02814
3/4/04	D	Jones v. Meyers Auto Parts	Dist. Ct. Parish of Orleans, LA	03-3367
4/6/04	D	Douglas v. Alcoa	Dist. Ct. Orange Co., TX	A0100091-C
4/8/04	D	Tynes v. Alcoa, Inc.	Dist. Ct. Tarrant Co., TX	190848
4/28/04	D	Nancy Fisher, Individually and as Personal Representative of the Heirs and Estate of Frederick Fisher, deceased, et al vs AcandS, Inc., et al	Orange Co., TX	A010256-C
5/3/04	D	Escamillo, et al. v. American Standard, Inc., et al.	Sup. Ct. L.A., CA	BC303900
5/10/04	D	Brown, Robert v. NF & S Ry.	Madison Co., IL	01-L-1574
5/11/04	D	Ogan, Gerald – Cuyahoga County Kittel Group 2	Cuyahoga Co., OH	CV-467718
5/12/04	D	Haynes v. Asbestos Defendants	Sup. Ct. S.F., CA	426250
5/24/04	D	Nolen v. A.W. Chesterton	Dist. Ct. Tarrant Co., TX	153-200843-03
5/21/04	D	Crean v. Asbestos Defendants	Ventura, S.C.	037443
6/7/04	D	Thompson v. A. W. Chesterton Co., et al.	Baltimore City, MD	24X03001064
6/8/04	D	Romano, Dan – Goldberg Group 18	Cuyahoga Co., OH	CV-499481
6/8/04	D	Raymer v. Opies Transport, Inc.	Mo. Div. WC	02-087744
6/10/04	D	Ohm v. AMF	U.S. Dist. Ct., Dallas Co., TX	DV01-00301-M
6/10/04	D	Willie James Kravskopf, et al. vs. AWI, et al	Dallas Co., TX	DV00-02321
7/1/04	D	Rascher v. Bondex, Int.'l, Inc. and RPM, Inc.	St. Louis City Ct, MO	022-10850
7/16/04	T	Manuel Gusoff v. Sears, Roebuck & Co.	Philadelphia Co., PA	06780.00027
7/20/04	D	Richard A.Sharp, et al. v. A. P. Green Industries, Inc., et al.	24 th JDC	557-023 "C"
8/13/04	D	Davidson v. A. W. Chesterton	Sup. Ct. S.F., CA	429088
8/25/04	D	Kubetz v. Able Distribution, et al.	Manitowoc Co., WI	03-CV-412

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8/27/04	D	Treggett, v. Alea Laval, Inc., et al.	Sup. Ct. L.A., CA	BC307058
8/30/04	D	Thomas v. Atlas Turner, Inc., et al.	Sup. Ct. L.A., CA	BC262037
9/1/04	D	McShane, et al. v. Bondex International, et al.	Sup. Ct. L.A., CA	BC312605
9/20/04	T	Jane Williams, Individually and as Surviving Spouse of Raymond Williams, deceased v. AC & S, Inc., et al	Tarrant Co. TX	141-181029-99
9/24/04	D	Nuriddin v. Asbestos Defendants	Sup. Ct. S.F., CA	420810
9/27/04	D	Cregut, v. A. W. Chesterton, et al	Sup. Ct. S.F., CA	428078
10/7/04	D	Leezy v. Asbestos Defendants	Sup. Ct. L.A., CA	248586
10/11/04	D	Chappell v. A. W. Chesterton	Sup. Ct. S.F., CA	429634
10/12/04	D	John Crane Inc. Asbestos Litigation Thomas Hastings, M.D.	Cir. Ct. Baltimore City, MD	24-X02002172
10/20/04	D	Sears v. Rural Metro Ambulance	St. Clair Co., AL	CV-03-250-A
10/26/04	D	In re: Susan Thompson	Sup. Ct. S.F., CA	323241
11/1/04	D	McClatchy, Balfour, v. Able Supply Co., et al.	Smith Co., TX	02-467-C
11/2/04	D	Perman v. Atlas Turner, Inc.	Sup. Ct. L.A., CA	428104
11/16/04	D	Koester vs. American Honda Motor Co., et al.	Sup. Ct. L.A., CA	300247
11/30/04	D	Fine, Ricciardelli, v. Alcoa	Dist. Ct. Dallas Co., TX	0302977-C
12/15/04	D	Williams, Tommie., v. Carter Pumps, et al.	Sup. Ct. L.A., CA	309034
12/20/04	T	Hutson v. Phillips 66 Co., et al.	Harris Co. TX	2003-23881
1/5/05	D	Barnett, Penley & Pappas (In re: Asbestos Pers. Inj. Lit.)	Kanana Co., W.V.	04-C-916 03-C-622 02-C-2836
1/7/05	D	Aslanian, et al. v. 3M Company	Sup. Ct. L.A., CA	308960
1/11/05	D	Cannon v. Barnes Jewish	St. Louis City Ct., MO	022-00459
1/17/05	D	Zavacky v. A-Best Products, Co., Inc., et al.	Cuyahoga Co., OH	CV-482142
1/17/05	D	Walraven v. Ford Motor Co. and General Motors Corp.	Middlesex Sup. Ct., MA	CV 043940
1/21/05	D	Jones, et al. v. A. H. Voss Company, et al.	Sup. Ct., L.A., CA	BC279406
1/28/05	D	Estate of Joseph Hulen vs. Am Commercial Barge Line	US Dist. Ct Southern Dist. of IL	04-367GPM

Date	D/ T	Case Name	Court	Case No.
2/2/05	D	Thomas Knox, Jr., Personal Rep. Of the Estate of Thomas Knox, and on behalf of H. Carol Knox, the decedent's surviving spouse vs. Richard Thacker, M.D., Med. Group of N. Florida, P.A., Tallahassee Med. Ctr, Inc., d/b/a Tallahassee Com. Hosp, Mark Fahey, M.D. and Tallahassee Orthopedic Clinic, III, P.L.	2 nd Jud Ct. Leon Co. FL	2002-CA-2854
2/16/05	D	Robert Leech, deceased vs. A.W. Chesterton, et al	Cuyahoga Co, OH	495702
2/17/05	D	Billie Speicher vs. American Asbestos Co., et al	Sup. Ct. S.F., CA	432443
2/28/05	T	Thomas Knox, Jr., Personal Rep. Of the Estate of Thomas Knox, and on behalf of H. Carol Knox, the decedent's surviving spouse vs. Richard Thacker, M.D., Med. Group of N. Florida, P.A., Tallahassee Med. Ctr, Inc., d/b/a Tallahassee Com. Hosp, Mark Fahey, M.D. and Tallahassee Orthopedic Clinic, III, P.L.	2 nd Jud Ct. Leon Co. FL	2002-CA-2854
2/28/05	D	Clinton, Bobby J./Gloria vs. Am. Asbestos Co.	Sup. Ct. S.F., CA	433284
3/3/05	D	JoAnn Vent et al vs. A. C & S Inc. et al	Cir Ct. Baltimore City, MD	24-X-000078
3/3/05	D	Charles Hargrave vs. Caterpillar, Inc., et al	Madison Co, IL	04-L-734
3/16/05	D	Donald Yates, et al. vs. A.W. Chesterton, et al	Ashley Co, AK	CIV-2000-203-3
3/17/05	D	Horch, Robert/Nancy V. vs. American ASB	Sup. Ct. S.F., CA	434341
3/28/05	D	Linn, David v. Flintkote, et al.	Sup. Ct., LA Co., CA	309920
4/4/05	D	Vaughn, Larry et al vs. 3M Company	Sup. Ct., LA Co., CA	322230
4/13/05	D	Lorraine Eaton, Heirs of the Est. of Noah Eaton, Deceased	St. Louis City	032-00364
4/14/05	D	Fontes, Elaine, et al, vs AC & S, Inc., et al	Sup. Ct., L.A., CA	266468
4/21/05	D	Nuriddin, J. Shaheed vs. Asbestos Defendants	Sup. Ct. S.F., CA	420810
4/21/05	D	Massimino, Cosmos/Mary vs. Atlas Turner	Sup. Ct., SF, CA	412937
5/3/05	D	Gary Willis v Norfolk Southern Railway Co, et al	Madison Co, IL	04-L-117
5/16/05	D	Paul Rose vs. Caterpillar, Inc.	Cir Ct Marshall Co, WV	03-C-26K
5/25/05	D	Anton Kubetz, et al vs. Able Distributing Co, et al	WI	03-CV-412

Date	D/ T	Case Name	Court	Case No.
6/7/05	D	Larry Smith/Linden vs. American Asbestos Co.	Sup. Ct. S.F., CA	434096
6/9/05	D	John Hoogerwerf vs. Pneumo Abex Corp. et al	McLean Co, IL	04L92
6/9/05	D	James Bednar vs. Dana Corp., et al	Philadelphia Co, PA	2988
7/13/05	D	Curtis Lightsey vs. John Crane Inc., et al	US Dist Ct, Atlanta, GA	1:02-CV-3391-ODE
7/28/05	D	State vs. William J. Sitton	Lincoln Co., MO	04L6-CR01535
7/28/05	T	Carol Ann Engro, Co-Executrix of the Estate of Leonard Engro vs. Sears, Roebuck & Co, et al	Philadelphia Co, PA	Sept term 2004-1110
7/29/05	D	David Linn vs. Flintkote, et al	Sup. Ct., L.A., CA	309920
8/1/05	D	James Griffin and Helen Griffin vs Buffalo Pumps, Inc., et al	Sup. Ct., L.A., CA	BC307929
8/2/05	D	David Sherman vs. Interface Materials, Inc.	St. Louis City, MO	00-172593
8/15/05	D	Lisa A. York, etc., vs. Norfolk Southern Railway, et al	St. Louis City, MO	04207829
8/19/05	D	Verna Glassing		
8/31/05	T	People vs. James Wiley	Monroe Co., IL	04-CF-125
9/6/05	D	David Blair Maynard & his wife Linda Carol Maynard, vs. A.W. Chesterton Co. et al	Cir. Ct. Kanawha Co., WV	04-C-3392
9/6/05	D	William Warren Carter & his wife Loretta K. Carter vs. A.W. Chesterton, et al	Cir. Ct. Kanawha Co., WV	04-C-2376
9/28/05	T	Carraway vs. Christian Hospital NE-NW, et al.	US Dist. Ct, Eastern Dist. Of MO	4:03CV1077 FRB
9/29/05	T	Curtis Lightsey vs. John Crane Inc., et al	US Dist Ct, Atlanta, GA	1:02-CV-3391-ODE
10/10/05	D	Elaine Roschewski, Indiv. & as Successor-in-Interest to Wayne Roschewski, Dec.; and Elaine Roschewski, Sherry Ann Moorhous & Melanie Jo Miller, as Legal Heirs of Wayne Roschewski, Deceased vs. Asbestos Defendants (BHC)	Sup. Ct., S.F., CA	400223
10/25/05	D	Judie Bourn, Individually and as Successor-in-Interest to William Bourn, Deceased; and Spring Bourn and Judith Bourn, as Legal Heirs of William Bourn, Deceased vs. Asbestos Defendants (B*P)	Sup. Ct., S.F., CA	416491

Date	D/ T	Case Name	Court	Case No.
12/5/05	D	Emil Cerny vs. Abest Products, et al.	Ct. of Common Pleas, Cuyahoga Co., OH	03-503990-CV
12/13/05	D	Shirley Jacoby, Individ. & as Special Admin. of the Estate of Homer Jacoby, deceased vs. Sprinkman & Sons Corp. of IL, et al.	Cir. Ct. Macon Co., IL	04L191
12/14/05	D	William Cantwell, et al. vs. Electric Furnace Company, et al.	Cir. Ct. Kenosha, Co. WI	04-CV-1440
12/16/05	D	Charlton Clemmer vs. Asbestos Defendants	Sup. Ct., S.F., CA	434434
1/9/06	D	Studer, James, et al. vs. American Standard	Sup. Ct., L.A., CA	331706
1/20/06	D	Debra Michiko Underwood, as Successor Trustee of the Elverton Hiromi Kamada Trust dated October 4, 2004, and assignee of the personal injury claims of Elverton Hiromi Kamada, deceased, and Helen Kazue Kamada vs. Kaiser Gypsum Company, Inc., a Washington corporation, etc., et al.	1 st . Cir. Ct. State of Hawaii	04-1-0492-03(EEH)
1/23/06	D	Mary B. Reyes, Individ. & as Special Admin. of the Estate of Robert A. Reyes, deceased vs. Pneumo Abex Corp., et al	Cir. Ct. McLean Co., IL	04-L-171
2/6/06	T	Morrison vs. American Asbestos Co., et al.	Sup. Ct., S.F., CA	432013
2/10/06	T	Evelyn Irvin OBO Richard Irvin vs. Merck & Co., Inc.	U.S. Dist Ct., East. Dist. Of Louisiana	2:05CV4046
2/10/06	D	Brady, Larry vs. A.W. Chesterton, Inc., et al.	Sup. Ct., L.A., CA	BC444858
2/27/06	D	Vince, Nathalie vs. Allied Signal et al.	Cuyahoga Co. Ct. of Common Pleas, OH	537314
3/8/06	D	Haden, Karen (WD: Zella Garrett) vs. Atlas Turner	Sup. Ct., S.F., CA	430933
3/9/06	T	Debra Michiko Underwood, as Successor Trustee of the Elverton Hiromi Kamada Trust dated October 4, 2004, and assignee of the personal injury claims of Elverton Hiromi Kamada, deceased, and Helen Kazue Kamada vs. Kaiser Gypsum Company, Inc., a Washington corporation, etc., et al.	1 st . Cir. Ct. State of Hawaii	04-1-0492-03(EEH)
3/10/06	D	Gary W. Randolph vs. CSX Transportation, Inc.	Sup. Ct. Fulton Co., GA	2004CV90774
3/15/06	D	Betty Cunningham (WD: Richard), et al. vs. AGCO Corporation, et al.	Sup. Ct., L.A., CA	BC307 929

Date	D/ T	Case Name	Court	Case No.
3/23/06	D	Rahmes, Robert vs. Allied Signal et al.	Cuyahoga Co. Ct. of Common Pleas, OH	543596
3/23/06	D	Cornett, Lawrence vs. Allied Signal et al.	Cuyahoga Co. Ct. of Common Pleas, OH	95-296215 (consolidated with 536168)
3/28/06	D	Lewis Wright, et al. vs. Honeywell International, Inc., et al.	Cir. Ct. of Holmes Co, MS	2002-576
4/4/06	T	People vs. Joe C. Tucker	Cir. Ct., Jeff. Co., IL	02-CF-212
4/7/06	D	Samuel E. Stacey vs. A.W. Chesterton Co., et al.	Cir. Ct., Richmond, VA	LT-00835
4/7/06	D	Raymond Belardes vs. Advocate Mines	Sup. Ct., S.F., CA	445995
4/12/06	D	Carmen N. Stigliano vs. Anchor Packing Co., et al.	Sup. Ct., New Castle Co., DE	05C-06-263
4/13/06	D	Thomas Halsema, et. Al. vs. Allied Packing, et. al.	ACSC	RG05236661
4/14/06	D	Patsy Bodkin vs. Georgia Pacific	St. Ct of Fulton Co., GA	2005-EV-000009D
4/17/06	D	Henry Hall vs. Bondex, et al.	Sup. Ct., L.A., CA	340466
4/19/06	D	Saeed Behshid vs. Bondex, et al.	Sup. Ct., L.A., CA	BC343104
4/24/06	D	John McCormick vs. A-best, et al	Cuyahoga Co., Ct. of Common Pleas, OH	535422
4/25/06	D	Michael Robertson vs. Alfa Laval, Inc., et al	Sup. Ct., L.A., CA	BC332170
5/1/06	D	Larry Gregory and Stacey Gregory vs. A.W. Chesterton, et al	Cir. Ct., Cook Co, IL	05L003782
5/8/06	D	Karen K. Reese, Indiv. & as Special Administrator of the Estate of Ralph R. Reese, Jr., Deceased	Cir. Ct. of McLean Co., IL	04 L 51
5/15/06	D	Mary Behnke, Executrix of the Estate of James Behnke vs. Foseco, Inc., et al	Cir. Ct. of Marshall Co., W. VA	05-C-155M
5/22/06	D	Timothy McDowell vs. Michael J. Jones, M.D.	Common Wealth of KY	02-C101266
5/23/06	D	Donald Fulton vs. AC and S, Inc.	Sup. Ct., S.F., CA	440464
6/8/06	D	Gloria Derendinger et al vs. A. W. Chesterton, Inc., et al.	22 nd Jud. Ct., City of St. Louis, MO	05200469

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6/13/06	T	Devona Coulson vs. Zurich American Ins. Co.	Wayco, TX	DWC #05076609
6/20/06	D	David Bakkie vs. Asbestos Defentants (B*P)	Sup. Ct., S.F., CA	05-445300
7/7/06	D	Joseph DiCenzo vs. George V. Hamilton, et al	Cuyahoga Co., OH	404588
7/11/06	D	William E. Merck vs. Ingersoll-Rand, et al	Cir. Ct. Madison Co., IL	05L0636
7/13/06	D	William E. Pitts vs. Genuine Parts Co., et al	Cir. Ct., Co., Spotsylvania, VA	177CL01 - 282
7/19/06	D	Ruben Flores vs. Bondex International, et al	Sup. Ct., L.A., CA	BC 333511
7/20/06	D	Sharon Maxwell vs. Advocate Mines, Ltd. et al	Sup. Ct., L.A., CA	BC 346840
7/20/06	D	Joseph Norris et al. vs. Ampco Pittsburgh, et al	Sup. Ct., L.A., CA	BC 340413
7/24/06	D	Doris Silvestro and Joyce L. Gold vs. Bondex, et al. Tamara Kapraun, Indiv. & as Personal Rep. of the Heirs and Estate of Joseph Krotzer et al. vs. Crane Co., et al	Sup. Ct., L.A. Co., CA	BC 253974 BC 332560
7/26/06	D	Bobbie Cummings vs. Alfa Laval et al.	Sup. Ct., L.A., CA	BC 329245
7/28/06	D	Richard Davis vs. Union Carbide	Sup. Ct., New Castle, Co, DE	05C-09-033 ASB
7/28/06	D	Russell Sanders vs. Union Carbide	Sup. Ct., New Castle, Co, DE	05C-07-176 ASB
7/28/06	D	Robert Peregrine vs. Union Carbide	Sup. Ct., New Castle, Co, DE	05C-09-096 ASB
8/1/06	D	James Lamar Duncan, et al. vs. American Standard, Inc., et al	11 th Judicial Dist. Ct., Harris Co. TX	2004-07671
8/4/06	D	Karen K. Reese, Indiv. and as Special Admin. of the Estate of Ralph Reese, Jr., Deceased	11 th Jud. Cir. Ct. McLean Co, IL	04-L-51
8/8/06	D	Ann Burns (WD William F. Burns) vs. Asbestos Defendants	Sup. Ct., S.F., CA	426568
8/8/06	D	Silvia DePrey (WD: Jack Severance) vs. Atlas	Sup. Ct., S.F., CA	425578
8/8/06	D	Mary Pecoraro (WD: Andrew) vs. Atlas	Sup. Ct., S.F., CA	419047
8/14/06	D	Glenn Keeran et al. vs. Ametek, et al.	Sup. Ct., L.A., CA	BC3460805
8/17/06	T	Bobbie Cummings vs. Alfa Laval, et al.	Sup. Ct., L.A., CA	BC 329245
8/18/06	D	Melody A. Dean, et al. vs. Bondex International, et al. (deceased Michael Mikul)	Sup. Ct., L.A., CA	BC332247

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8/23/06	D	Michelle L. Kuczka vs. Olin Corp. et al. (deceased Paul Kuczka)	Cir. Ct., Madison Co, IL	05-L-274
8/30/06	D	Louis A. Ferrara, deceased vs. A.W. Chesterton Co., et al.	11 th Jud. Dist., Harris, Co, TX	2004-07963A
9/12/06	D	Allen Shreiner vs. American Biltrite, et. al.	New Castle, Co, DE	05C-11-127 ASB
9/15/06	D	Willie Allran vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	03-L-800
9/15/06	D	Deloris Barton vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	05-L-1228
9/15/06	D	William DeWitt vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	06-L-114
9/15/06	D	James Fowler vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	06-L-118
9/15/06	D	John Long vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	06-L-33
9/15/06	D	Lorraine Millman vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	05-L-737
9/15/06	D	Eugene Wilson vs. Pneumo Abex LLC, et al.	Cir. Ct., Madison Co, IL	05-L-1277
9/26/06	D	Robert Stevens vs. Bondex International, et al.	New Castle, Co, DE	05-272 ASB
9/26/06	D	Ronald Brobst vs. American Standard, et al.	Philadelphia Co, PA	0506-1199
9/27/06	D	Raymond McConnell vs. Bondex, et al.	Philadelphia Co, PA	0508-2614
9/27/06	D	Richard Fortini et al. vs. 3M Corp., et al.	Sup. Ct., L.A., CA	BC334407
9/27/06	D	Patricia Thibault (WD: Ronald) vs. Atlas, et al.	Sup. Ct., S.F., CA	422317
9/29/06	D	Raymond Jenkins vs. AC and S, et. al.	Cir. Ct. Baltimore, City, MD	24X05000481
10/3/06	D	Gordon Lewis, et al. vs. Alfa Laval, Inc., et al.	192 nd Jud. Dist., Dallas Co., TX	04-05698
10/5/06	D	Vickie Hoogerwerf, Indiv. & as Special Admin. Of the Estate of John Hoogerwerf, Deceased	11 th Jud. Cir. Ct., McLean, Co., IL	04-L-92
10/6/06	T	Allen Shreiner vs. American Biltrite, Inc., et al.	New Castle Co., DE	05C-11-127 ASB

Date	D/ T	Case Name	Court	Case No.
10/9/06	D	Edward Boyer vs. A.W. Chesterton Co., et al.	Middlesex Co., MA	05-4306
10/9/06	D	Kory Kretzinger, et al. vs. Garlock Sealing Technologies, et al. (RE: Edward Kretzinger)	11 th Jud. Dist. Ct., Harris Co., TX	2005-67859
10/20/06	D	Anderson (WD: Kenneth) vs. Caterpillar, et al.	King Co. Sup. Ct., King Co, WA	05-2-04551-5 SEA
11/7/06	D	White, Christine (WD: Leroy White) vs. AGCO Corp., et al	Sup. Ct., S.F., CA	430305
11/8/06	D	AXA Equitable Life Ins. Co. vs. Lionel Sands, Carol Ashworth, Ann Mortensen, Eloise Heaps, and Guy Heaps (RE: Gail Sands)	U.S. Dist. Ct., Panama City Div., FL	5:06cv59/RS
11/9/06	D	Ruth Bridges (on behalf of Lawrence Clayton Bridges, dec.) et al. vs. Elementis Chemicals, Inc., et al.	Sup. Ct., L.A., CA	BC329014
12/5/06	D	James Ticer vs. Amcord, Inc., et al	Sup. Ct., L.A., CA	BC353981
12/8/06	D	John Thompson vs. Pneumo Abex LLC, et al.	Cir. Court, Madison Co, IL	06-L-366
12/8/06	D	Arthur Scholbe vs. Pneumo Abex LLC, et al.	Cir. Court, Madison Co, IL	06-L-284
12/14/06	D	Richard Merrill vs. Alfa Laval, Inc., et al. (continued 1/3/07)	Sup. Ct., L.A. Co., CA	BC352170
12/21/06	D	Chester Link vs. Ahlstrom Pumps, LLC, et al	Cuyahoga Co., Ct. of Common Pleas, OH	565305
01/08/07	D	Allen Ochs vs. Garlock, et al.	Cook Co., IL	04-L-4790
1/11/07	D	Henrietta Espinoza, Indiv. and as Personal Representative of the Heirs and Estate of Francisco Rodriguez	At Law Number One, Calhoun Co., TX	02-CV-126
1/12/07	D	Yvonne Bishop, Indiv. and as Administratrix of the Estate of James Bishop vs. American Standard, Inc., et al	Sup Ct., Providence Co., RI	05-1051
1/17/07	D	Barbara Cooper, Indiv. and as Personal Representative of the Heirs and Estate of Warren Cooper vs. A.W. Chesterton, et al.	11 th Dist Ct., Harris Co., TX	2004-5065A
1/23/07	D	Phillip Shaw vs. A-Best Products, et al	Cuyahoga Co., Ct. of Common Pleas, OH	576377

Date	D/ T	Case Name	Court	Case No.
1/23/07	D	Walter Cox vs. Albany International Corp	Cuyahoga Co., Ct. of Common Pleas, OH	560894
1/30/07	D	Rincon, Philip/Joanne vs. A.W. Chesterton, et al.	Sup. Ct., S.F., CA	454736
2/5/07	T	Gloria Breske, Individ. and as Special Administrator of the Estate of John Breske, Deceased vs. Georgia Pacific, John Crane, Inc and Union Carbide Corp.	Cir. Ct., Cook Co, IL	05-L-03923
2/6/07	D	Richard Walmach vs. Aqua-Chem, et al.	Sup. Ct., L.A. Co., CA	BC336186
2/14/07	D	Gondolfo, Clarice (WD: John) vs. Atlas Turner	Sup. Ct., S.F., CA	412969
2/27/07	D	Margaret Walton, Personal Rep. of the Estate of Robert Walton, Deceased vs. Norfolk Southern Railway Company	Macon Co., IL	05-L-94
3/6/07	D	Myrna D. Kurle, Inv. and as Surviving Spouse and Next of Kin of Jacob R. Kurle, Deceased vs. Georgia Pacific Corp	Dist. Ct., Oklahoma Co., OK	CJ-2005-7448
3/9/07	D	Ginez, Andres vs. A.W. Chesterton, et. al	Sup. Ct., S.F., CA	455659
3/9/07	D	Lathrop, David and Rebecca vs. A.W. Chesterton, et al.	Sup. Ct., S.F., CA	452488
3/12/07	D	Buddie Booher vs. Pneumo Abex LLC, et al.	Cir. Ct. Madison Co., IL	06-L-375
3/12/07	D	Ernest Monroe vs. Pneumo Abex LLC, et al	Cir. Ct. Madison Co., IL	06-L-635
3/12/07	D	Thomas Galvin vs. Pneumo Abex LLC, et al	Cir. Ct. Madison Co., IL	06-L-656
3/22/07	D	David and Shirley Blackinton vs. Bondex International, Inc., et al	Sup. Ct., L.A. Co., CA	BC356534
3/23/07	D	Virginia Barrett (John) vs. Allied Manufacturing Co., et al.	Cir. Ct. Jackson Co., MO at K.C.	516-CV36184
3/26/07	D	Edgar Hill et al. vs. Advocate Mines Ltd., et al.	Sup. Ct., S.F., CA	456055
3/27/07	D	Joanne Ehrig (WD: Alvin) vs. All American Home Center, Inc., et al.	Sup. Ct., L.A. Co., CA	BC346790
3/28/07	D	Gail Bruce, Inv. and as Personal Rep. of the Heirs and Est. of Grady Bruce, Sr. vs. AGCO Corp. et al.	11 th Dist. Ct., Harris Co., TX	2006-04181
3/28/07	D	Robert Eugene Davish et al. vs. Minnesota Mining & Manufacturing Co. (3M) et al.	Cuyahoga Co., OH	565111
3/30/07	D	Charles White and Barbara Lorton vs. Asbestos MDL Case Buffalo Pumps, Inc. et al	Dist. Ct Harris Co., TX	2006-41943

Date	D/ T	Case Name	Court	Case No.
4/9/07	D	Ralph Gregory Beckler, et ux vs. A.W. Chesterton, et al.	11 th Dist. Ct., Harris Co., TX	2004-11076
4/11/07	D	Patricia Pascale (WD: Michael Pascale) vs. Bondex Int., Inc. et al.	Sup. Ct., L.A. Co., CA	BC345910
4/24/07	D	Michael Troncalli, et al. vs. Georgia Pacific Corp., et al.	11 th Dist. Ct., Harris Co., TX	2005-04469
5/3/07	D	James Rodamer vs. A.W. Chesterton, et al.	Sup. Ct., S.F., CA	456569
5/7/07	T	Walter Cox vs. Albany International Corp	Cuyahoga Co., Ct. of Common Pleas, OH	560894
5/21/07	T	Felker, Don and Sharon vs. A.W. Chesterton Co., et al	Sup. Ct., S.F., CA	GCG-06-456317
6/6/07	D	Bigelow vs. Dr. Garfinkel, et al.	Cir Ct., Montgomery Co, MD	271993
6/7/07	D	Vanderhyde, David and Pilar vs. A.W. Chesterton, et al.	Sup. Ct., S.F., CA	274037
6/11/07	D	Phyllis Rose Buffkin v. A.W. Chesterson, et al	Cuyahoga Co., Ct. of Common Pleas, OH	04-527472
6/13/07	D	Phyllis Rose Buffkin v. A.W. Chesterson, et al	Cuyahoga Co., Ct. of Common Pleas, OH	04-527472
6/14/07	D	Dwight Parker vs. 3M Company	U.S. Dist. Ct., Eastern Dist. of MO, Eastern Div.	4:05-CV-1358-TCM
7/9/07	D	Ruben O. Pena, Indiv. and as Personal Representative of the Heirs and Estate of Nolberto B. Pena, Sr., Deceased vs. A.W. Chesterton, et. al.	11 th Dist. Ct., Harris, Co., TX	2006-51403
7/11/07	T	Dwight Parker vs. 3M Company	U.S. Dist. Ct., Eastern Dist. of MO, Eastern Div.	4:05-CV-1358-TCM
7/17/07	D	Donna Saller (WD William Saller) vs. Bondex International, Inc., et al	Sup. Ct., L.A. Co., CA	BC342363
7/18/07	D	Shannon Harris and Sterling Lee Harris vs. Amchem Products, Inc., et al.	Sup. Ct., New York Co., NY	104741/06
7/19/07	D	Robert Shake, et al vs. Quigley Co. Inc., et al	11 th Dist. Ct., Harris, Co., TX	2004-21092

Date	D/ T	Case Name	Court	Case No.
8/6/07	D	Sandra Barber, Spec. Admin. of Estate of Lloyd Misenheimer, Dec, vs. Sprinkmann Sons Corp. of Illinois et al. defendants	11 th Jud. Cir. Ct., McClain Co, IL	05L133
8/8/07	D	Ronald Wilshusen vs. A.W. Chesterton, Inc. et al.	Cir. Ct., Madison, Co., IL	06L1125
8/8/07	D	John Hardester, Ind. and as Spec. Admin. of the Estate of William Hardester, Deceased vs. A.W. Chesterton, Inc., et al	3 rd Jud. Cir. Ct., Madison, Co., IL	06-L-402
8/9/07	D	Harold and Marilyn Dunham vs. Asbestos Defendants	Sup. Ct., S.F., CA	449792
8/21/07	D	Charles P. Rich (Deceased) vs. A-C Product Liability, et al.	U.S. Dist. Ct. Northern Dist. of Ohio, West. Div.	1:98CV14094
8/21/07	D	Dorothy Ann Jackson, Personal Rep. of Estate of James E. Jackson (Deceased) vs. A-C Product Liability, et al.	U.S. Dist. Ct. Northern Dist. of Ohio, West. Div.	1:99CV10802
8/23/07	D	Steven Pelley vs. Crane Co., et al	Sup. Ct., L.A. Co., CA	BC358812
8/28/07	D	John R. Davis vs. American Standard, Inc. et al	Sup. Ct., L.A. Co., CA	BC367464
8/28/07	D	Stanley Racik and Geraldine vs. Alfa Laval, Inc., et al	Sup. Ct., L.A. Co., CA	BC366520
8/30/07	D	Christian Holinka vs. AC & S, et al.	Sup. Ct. State of NY, Co. of NY in Re: NY City asbestos litigation	114120-06
9/5/07	D	Raymond Meier vs. Georgia-Pacific et al.	3 rd Jud. Cir. Ct., Madison, Co., IL	06-L-1089
9/7/07	D	Murphy, Daniel and Vicki vs. A.W. Chesterton Co., et al	Sup. Ct., S.F., CA	274060
9/12/07	D	William Lee Faber vs. A&I Co., Inc. The Kroger Company	Cir. Ct. of Kanawha Co., WV	06-C-2656
9/20/07	D	West, Douglas and Helen vs. Aqua-Chem, et. al.	Sup. Ct., S.F., CA	450293
9/24/07	T	State of Tennessee vs. Dr. Christ Koulis	Cir. Ct., Williamson Co., TN	1-CR111479
9/28/07	D	Marion Wagner vs. Bondex International, et al.	Cir. Ct., Jackson Co., MO	0616CV-12410

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10/1/07	D	Asbestos Litigation, Chad Doell and other Delaware cases	Sup. Ct., New Castle Co., DE	77C-2-ASB
10/2/07	D	Anthony Nicoletta vs. Banner Supply Co., et al.	11 th Jud. Cir. Ct., Miami-Dade, Co. FL	07-03229
10/3/07	D	Susan Wandel, et al. vs. American Airlines, et al.	Cir. Ct., St. Louis, MO	052-00275A
10/8/07	D	Martin Lujan vs. Bechtal Construction, et al.	Sup. Ct., S.F., CA	274075
10/8/07	D	Frank Meyers vs. Bondex International, Inc., et al.	Sup. Ct., L.A. Co., CA	368025
10/10/07	D	David Emery vs. A.W. Chesterton Co., et al.	Sup. Ct., S.F., CA	274142
10/24/07	D	Michael J. Pound, et al. vs. Advocate Mines Ltd. et. al	Sup. Ct., L.A. Co., CA	BC326866
10/24/07	D	Eugene McClarty vs. Lone Star Industries, Inc., et al	Sup. Ct., Alameda Co., CA	RG05210545
10/25/07	D	Napolean Haney Spec. Admin. of the Estate of Lynette Renee Clayton-Haney (deceased), et al. vs. Riverside Medical Center, et al.	Cir. Ct., Kankakee Co., IL	05-L-2
11/7/07	D	Lakisha Neil-Lomax vs. Las Vegas Metropolitan Police Dept., TASER International, Inc., et al.	U.S. Dist. Ct. of Nevada	CV-S-05-01464-PMP-RJJ
11/8/07	D	Crowe, Alan vs. A-I Insulation, Inc., et al.	Sup. Ct., S.F., CA	274129
11/13/07	D	Estate of Charles Wille vs. A-C Product Liability Trust, et al.	U.S. Dist. Ct. North. Dist., OH	1:98CV12997
11/14/07	D	Carl W. Stude III (WD Carl Stude, Jr.) et al. vs. Daimler Chrysler Corp. et al.	Sup. Ct., L.A. Co., CA	BC3423478
11/15/07	D	Earl Haupt vs. Allis-Chalmers Corp., et al.	Sup. Ct., L.A. Co., CA	BC356535
11/19/07	D	Ashley Lewis	St. Louis County, MO	
11/27/07	D	Estate of Kiana Appleby vs. Westchase Community Assoc., Inc., Greenacre Properties, Inc. et al.	Cir. Ct. 13 th Jud. Cir., Hillsboro County, FL	05-009769 Division C
11/28/07	D	Berg, Stephanie (WD/SUC: Donald Berg) vs. Allis, et al.	Sup. Ct., S.F., CA	444220
11/29/07	D	Wergin vs. Mercy	Dist. Ct., Polk Co., IA	103476

Date	D/ T	Case Name	Court	Case No.
12/3/07	D	William Leapline vs. Union Carbide Corp., et al.	3 rd Jud. Cir. Ct., Madison Co., IL	06-L-1096
12/4/07	T	Steven Pelley vs. Crane Co., et al.	Sup. Ct., L.A. Co., CA	BC358812
12/6/07	D	Betty Lou Heston and Robert H. Heston vs. City of Salinas, et al.	US Dist Ct. Northern Dist. of CA	C 05-03658 JW
12/12/07	D	George Linkus et. al vs. ACandS, Inc., et al.	Cir. Ct. Baltimore City, MD	24X05000315
12/13/07	D	Lloyd Durbin vs. CBS Corp., et al	Washington Sup. Ct.	06-2-11349-2
12/20/07	D	Alfred C. Hall, et al. vs. Alfa Laval, Inc., et al.	Sup. Ct., L.A. Co., CA	BC373038
1/7/08	D	Russell Roberts, Jr. vs. A.W. Chesterton, et al.	Sup. Ct., S.F., CA	SFSC 27
1/11/08	T	Ronald Werts vs. Goodyear Tire & Rubber Co.	Cuyahoga Co., Ct. of Common Pleas, OH	CV-04-41869
1/14/08	D	Olga Brendel (WD: Joseph) vs. Aurora Pump Company, et al.	Sup. Ct., L.A. Co., CA	BC355757
1/17/08	D	James M. Harvey vs. Georgia-Pacific Corp. et al	3 rd Jud. Cir. Ct., Madison Co., IL	07-L-381
1/18/08	D	Schiffman (Ferro) vs. Epstein et al.	U.S. Dist. Ct., Southern Dist., New York	04CIV2661
1/21/08	D	Leroy Knight vs. Azrock Industries, Inc., et al.	Sup. Ct. of CA, Co. of San Mateo	CIV 459139
1/24/08	D	Florene Tarver, Ind. and as Personal Rep. for the Heirs and Estate of Tommy Ray Tarver vs. Georgia-Pacific Corp., et al.	Dist. Ct. of Oklahoma Co., OK	CJ-2005-2860
1/25/08	D	West Virginia Trial Group, January 2008	Cir. Ct. of Kanawha Co., WV	07-C-255, 781, 795,802, 850,851, 852,
1/28/08	D	Alan C. Fuller, Ind. and as Spec. Admin. of the Estate of Allan T. Fuller, deceased Patrick O'Neal vs. A.W. Chesterton, Inc., et al.	3 rd Jud. Cir. Ct., Madison Co., IL	07-L-178 07-L-522
1/30/08	D	Paula Rene Horne, Ind. and as Personal Rep. of Marion Wagner, Dec'd et al. vs. Bondex International, Inc., et al.	Cir. Ct. of Jackson County, MO at Independence	0616- CV12410 Div: 28

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2/4/08	T	Charles P. Rich, Deceased vs. A-C Product Liability Trust, et al.	USDC for Northern Dist., Ohio, Eastern Div.	1:98CV14094
2/6/08	D	Jimmie Whitmire et al. vs. Alfa Laval, Inc., et al	Sup. Ct., L.A. Co., CA	BC374 718
2/6/08	D	Chief Brewer and Gale vs. Alfa Laval, Inc., et al.	Sup. Ct., L.A. Co., CA	BC374 988
2/27/08	D	James & Diane Baker vs. Bondex Intl., et al.	Sup. Ct., L.A. Co., CA	BC 376 530
2/27/08	D	James L. Haynes vs. Alfa Laval, Inc., et al	Sup. Ct., L.A. Co., CA	BC 376 420
3/7/08	D	Teresa Gelenian-Wood vs. Kerr Corp.	Middlesex Co., NJ	L-1774-06
3/11/08	D	Margaret Murphy and Gary Murphy vs. Honeywell International, Inc.	11 th Jud. Cir. Ct., McLean Co., IL	07 L 111
3/20/08	D	Ronald Taylor vs. A.W. Chesterton, et al.	Sup. Ct., Alameda Co., CA	RG-07 337852
3/24/08	T	Michael J. Pound, et al. vs. Advocate Mines Limited, et al.	Sup. Ct., L.A. Co., CA	BC 326 866
3/26/08	D	Taser International, Inc. vs Chief Medical Examiner of Summit Co, Ohio a/k/a Lisa Kohler, M.D.	Ct. of Common Pleas, Summit Co. OH	CV 2006 11 7421
4/2/08	D	Ruth Ann Lohr, Ind. and as Personal Rep. of the Heirs and Estate of Larry Lohr vs. A.W. Chesterton, et al.	Dist. Ct., Harris Co., TX	2005-02728
4/23/08	T	Taser International, Inc. vs Chief Medical Examiner of Summit Co, Ohio a/k/a Lisa Kohler, M.D	Ct. of Common Pleas, Summit Co. OH	CV 2006 11 7421
4/25/08	T	James & Diane Baker vs. Bondex Intl., et al.	Sup. Ct., L.A. Co., CA	BC 376 530
5/5/08	D	Amanollah Shahabi vs. A.W. Chesterton Co., et al.	Sup. Ct., L.A. Co., CA	BC 379085
5/7/08	D	John Schylaske vs. Genuine Parts Company	Cir. Ct., Baltimore City, MD	24-X-06-000783
5/7/08	D	Jefferson Riley vs. Genuine Parts Company	Cir. Ct., Baltimore City, MD	24-X-06-000753
5/8/08	D	Orlin Woodhouse, et al., vs. Alfa Laval, Inc. et al.	Sup. Ct., L.A. Co., CA	BC 367317

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5/8/08	D	Robert Reed vs. Crane Co., et al.	Sup. Ct., L.A. Co., CA	BC 360536
5/27/08	D	William Ring and Rebecca Ring vs. Alfa Laval, Inc., et al.	Cir. Ct., City of Richmond, VA	CL07-2752-3
5/29/08	T	Betty Lou Heston and Robert H. Heston vs. City of Salinas, et al.	US Dist Ct. Northern Dist. of CA	C 05-03658 JW
6/2/08	D	James E. Jackson (deceased) vs. A.C. Product Liability Trust, et al.	US Dist Ct. Northern Dist. of OH	1:99CV10802
6/11/08	T	Betty Scott, Ind. and as Spec. Adm. Of the Est. of Robert Scott, Deceased vs. Pneumo Abex, LLC et al.	Cir. Ct., Morgan Co., IL	05 L 18
6/20/08	T	Marvin Penn and Joseph Penn	Sup. Ct. Co. of NY, NY	105637-07
6/24/08	D	Timothy McDowell, Adm. Of the Est. of Linda McDowell s. Michael Jones, M.D. et al.	Cir. Ct., Commonwealth of KY, KY	02-CI-01266
7/8/08	D	Solomon Arredondo, et al vs. Alfa Laval, Inc. et al.	Sup. Ct., L.A. Co., CA	BC377888
7/9/08	D	John O. Koonce v. Weil McLain, et al	Cir. Ct., Newport News, VA	01359DP
7/14/08	D	Raymond Joseph Scioneaux, Sr. et al. vs. ABB Lummus Global, Inc. et al.	19 th Jud. Dist. Ct., Div. "ad Hoc", E. Baton Rouge Parish, LA	559399
7/14/08	D	Arballo, Judith (WD/SUC Reuben) vs. Aqua, et al.	Sup. Ct., S.F., CA	44783
7/22/08	D	Joan Breed (Donald Breed) vs. Georgia Pacific, Corp. et al.	State Ct., Fulton Co., GA	2003060727D
7/29/08	D	James Owens vs. Allis-Chambers Corp. Product Liability Trust, et al.	Sup. Ct., L.A. Co., CA	BC372901
8/4/08	T	State of Ohio vs. Stephen Krendick (deceased Mark McCullaugh)	Ct. of Common Pleas, Summit Co., OH	2007-9-2971(A)
8/6/08	D	Brian Stewart-Jackson (AIDS homicide)		
8/12/08	T	White, Christine (WD: Leroy) vs. AGCO Corp., et al.	Sup. Ct., S.F., CA	430305
8/19/08	D	Herbert Naquin, et ux vs. Shell Oil Co., et al.	Div. "H-12"	CDC Case #07-15034

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8/20/08	D	Delmar Heinrich vs. Alfa Laval, Inc., et al.	Sup. Ct., L.A. Co., CA	BC370069
8/28/08	D	Jeffery McCormick vs. A.W. Chesterton, Inc., Sandstrom Products Co., et al	3 rd Jud. Cir. Ct., Madison Co., IL	07-L-1047
9/3/08	D	Fish, Robert/Mary vs. Allis-Chalmers Corp.	Sup. Ct., S.F., CA	432357
9/11/08	D	David Anderson		
9/15/08	D	William Taylor, et al. vs. Alfa Laval Inc., et al.	Middlesex Sup. Ct., MA	07-1270
9/16/08	D	Larry Lindquist vs. Alfa Laval, Inc. et al.	Sup. Ct., L.A. Co., CA	BC382729
9/26/08	T	Carmen Rivera et al. vs. El Conquistador Partnership (RE: Miguel Napoleoni – deceased)	Puerto Rico	O/F-3393-003
9/29/08	D	Eva Bourbon (SUC/WD: Marcus Gutierrez) vs. A.H. Voss et al	Sup. Ct., S.F., CA	443203
10/3/08	T	Napolean Haney, Spec. Adm. Of the Estate of Lynette Renee Haney-Clayton, deceased, and Spec. Adm. of the Estate of Baby Boy Clayton, deceased, and Monroe Clayton vs. Riverside Medical Center, et al.	21 st Jud. Cir. Ct., Kankakee Co., IL	00-L-32
10/6/08	D	Travis Boseman (deceased) vs. A.W. Chesterton Co., et al.	Circuit Ct., Ashley Co., AR	CIV2007-07-113-4
10/8/08	D	Gary W. Perry, et al. vs. Armstrong Int. Inc., et al.	Cir. Ct. of Knox Co., TN	1-390-07
10/13/08	D	Alice Hubbird, Individ. and as Personal Rep. of the Heirs and Estate of Frank Hubbird, deceased vs. A.W. Chesterton, et al.	11 th Jud. Dist. Ct., Harris Co., TX	2004-43742-C
10/22/08	D	Delores Ann Robertson, Individ. and as Executrix of the Estate of Thomas E. Robertson vs. CSX Transportation, Inc., et al.	Jefferson Cir. Ct., Div. 8, Jefferson Co., KY	07-CI-05173
10/22/08	D	Merkle, Adam vs. Advocate Mines, Ltd. et al.	Alameda Co. Sup. Ct., CA	ACSC RG 08384801
10/23/08	D	State of Missouri vs. Steven Rios (Deceased Jesse Valencia)	Cir. Ct. of Boone Co., MO	04CR167984
10/28/08	D	Hilt, Robert vs. Schlage Lock Company, et al.	Sup. Ct., S.F., CA	274561
10/29/08	D	Lorraine Zimmerman, Individ. and as Personal Rep. of the Heirs and Estate of William H. Zimmerman, Deceased vs. A.W. Chesterton, et al.	11 th Jud. Dist. Ct., Harris Co., TX	2004-42337

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11/4/08	D	John Brodeur vs. A.W. Chesterton, et al.	Sup. Ct., L.A. Co., CA	BC 373865
11/11/08	D	Dennis H. Woodard vs. Alfa Laval, et al.	Sup. Ct., L.A. Co., CA	BC 388972
11/12/08	D	Arleen Pellegal vs. Northrop Grumman, et al.	Civ. Dist. Ct., Parish of NO, LA	07-7749 "L"
11/19/08	T	Delores Ann Robertson, Ind. and as Executrix of the Estate of Thomas E. Robertson vs. CSX Transportation, Inc., et al.	Jeff. Cir. Ct./Div.8, KY	07-CI-05178
11/28/08	D	Clotta Parker (WD John) vs. Asbestos Defendants	Sup. Ct., S.F., CA	439556
1/28/08	D	Margaret Simpson (WD: Frank) vs. Asbestos Defendants	Sup. Ct., S.F., CA	274041
12/4/08	D	James and Margaret Prough vs. Allis Chalmers Corp., et al.	Sup. Ct., L.A. Co., CA	BC 389423
12/5/08	D	Herbert Moreno vs. Advocate Mines Ltd., et al.	Sup. Ct., S.F., CA	274701
12/8/08	D	Nolen, John and Sarah, vs. Allie Mineral Products, Inc., et al.	Sup. Ct., L.A. Co., CA	BC 391 649
12/18/08	D	Adolph Tamayo and Angie Tamayo vs. Advocate Mines, Ltd., et al.	Sup. Ct., L.A. Co., CA	BC 393 076
1/5/09	D	Katherine Bray (WD: Annie Orta) vs. All American Home Center, Inc., et al	Sup. Ct., L.A. Co., CA	BC 378 366
1/8/09	D	Benita Duclair et al. vs. Paul D. King, M.D. et al	Cir. Ct. Stoddard Co., MO	07SDCC113
2/9/09	D	Robert Smith and Mary Lou Smith vs. Chrysler LLC, et al.	Sup. Ct., L.A. Co., CA	BC 396 072
2/9/09	D	Ronald Gersten and Martha Gersten vs. Asbestos Corp. Ltd., et al.	Sup. Ct., Alameda Co., CA	ACSC 08402343
1/14/09	D	Arnold vs. Saberhagen Holdings, Inc., et al.	Sup. Ct. Pierce Co., WA	08-2-11077-5
1/22/09	T	John Nolen and Sarah Nolen vs. Allied Mineral Products, Inc. et al.	Sup. Ct., L.A. Co., CA	BC 391 649
1/27/09	T	Dennis H. Woodard vs. Alva Laval, et. al.	Sup. Ct., L.A. Co., CA	BC 388 972

Date	D/ T	Case Name	Court	Case No.

EXHIBIT T

Review of David Glowezenski case by David S. Rosenbaum, M.D.

April 16, 2009

BACKGROUND OF REVIEWER: The enclosed summary of my findings and opinions are based on review of depositions, police reports, autopsy and hospital records, in addition to reports made previously by expert reviewers. My professional training is in cardiology and clinical cardiac electrophysiology. I have been seeing patients and performing research in electrophysiology for more than 15 years. I am an internationally recognized scientist with expertise in mechanisms of cardiac arrhythmias, and in development of clinical tests for prediction and prevention of sudden cardiac death in patients. I have more than 200 publications and have delivered more than 200 lectures around the world. I am presently Director of the Heart & Vascular Center and Professor of Medicine, Physiology, and Biomedical Engineering at Case Western Reserve University in Cleveland. I also chair the Research Health Policy Committee for the Heart Rhythm Society and serve on the Board of Trustees for the Heart Rhythm Society. The Heart Rhythm Society is the largest professional society for cardiac electrophysiology specialist in the world. I also serve on the board of the American Heart Association Great Rivers Affiliate, and I am President-elect to the regional American Heart Association. I have conducted research for more than 15 years on mechanisms of cardiac arrhythmias including ventricular fibrillation. My research has focused on understanding factors which lead to life-threatening cardiac arrhythmias and sudden cardiac death. I have not conducted research on TASERs specifically. My research has received continuous funding from the National Institutes of Health, the American Heart Association, and other agencies. I also serve on editorial boards for several medical journals. Finally, I am also a trained engineer having received my B.S. degree in Engineering from the University of Illinois and having spent 5 years performing post-doctoral research at MIT. I received my cardiology and cardiac electrophysiology training at Harvard Medical School, Massachusetts General Hospital.

SUMMARY OF LITERATURE: There are not abundant data on the cardiovascular effects of TASERs in the high quality peer-reviewed medical literature. There are many technical reports and abstracts which have not been subjected to the standards of rigorous peer review. A considerable segment of the scientific research on this topic has been funded by Taser International, or conducted in association with training courses of Taser International. The best data is available from animal models, which, as always, must be extrapolated with some caution to humans. The most important and most devastating cardiovascular complication is ventricular fibrillation. This is an arrhythmia where electrical waves propagate throughout the heart (ventricles in particular) in a chaotic and disorganized fashion, causing ineffective cardiac pumping, leading inevitably to death unless defibrillation is delivered promptly (typically more than 6 minutes of ventricular fibrillation without effective CPR causes irreversible brain injury). The available literature suggest that it is theoretically possible that the TASER waveform can induce ventricular fibrillation. The electrical energy delivered by the TASER would have to be of

sufficient magnitude to electrically stimulate (depolarize) cardiac cells, and the timing of such stimuli would have to coincide with the vulnerable period of the cardiac cycle (approximately 50 ms time interval which coincides with the ECG T-wave). The magnitude of TASER energy is typically much lower (less than 1 Joule) than energies ordinarily associated with induction of ventricular fibrillation (greater than 50 Joules delivered from the body surface and approximately 1-3 Joules delivered from a probe positioned directly on the heart). Experimental studies have demonstrated a safety factor of 15 to 50 for TASER applied to the body surface of anesthetized pigs; i.e. the energy delivered by a standard TASER is more than 15 times lower than the energy required to induce ventricular fibrillation in the pig. However, it is important to note that many variables can importantly influence these outcomes. 1. Location of the stimuli with stimulation beneath the sternum (the position of the chest surface that is closest to the heart) being most prone to induce VF. 2. Size/Weight of the animal; with smaller animals being more susceptible to ventricular fibrillation, and 3. Exposure to toxic substances and stress. For example, high catecholamine state associated with exercise is known to lower the threshold for fibrillation. It is not possible to reliably extrapolate the safety factor (quantitatively) of TASER in humans from animal studies or from simulation studies. The most important finding from animal studies are that they establish the proof of principle that TASER applications can stimulate heart muscle and can induce ventricular fibrillation when doing so.

High quality scientific data from human subjects is sparse. Apparently, the company has generated internal safety data from healthy volunteers, but deployment of TASER under these circumstances may not adequately mimic conditions of stress or possible underlying heart disease which can be present in subjects being apprehended by police. Of course, there is a large anecdotal field experience from TASERs that have been deployed in many patients without causing any apparent cardiac side-effects. Indeed, the total death rate associated with TASER use and the proportion that is even potentially attributable to the TASER shock itself (as opposed other factors like physical injuries acquired during arrest) seems to be quite low. However, these results may be influenced by how rigorously and systematically one looks for specific outcomes, and how subjects are sampled. There is clear evidence from the scientific literature showing that TASERs applied to the chest wall of humans can directly stimulate heart muscle. This was demonstrated in independent studies to stimulate both ventricular and atrial myocardium. Any device which is capable of stimulating cardiac muscle can potentially induce ventricular fibrillation. There are abundant data from the clinical cardiac electrophysiology literature showing that as few as 2 to 4 consecutively stimulated heart beats can induce ventricular fibrillation. If current density is sufficient, only 1 appropriately timed stimulated beat is required to induce ventricular fibrillation. There are no data demonstrating conclusively that the application of TASER in humans under clinically relevant circumstances is a sizable population will not cause ventricular fibrillation. Most of the human data to date were derived from very small or anecdotal studies from healthy volunteers in the absence of conditions simulating stress typically seen in the field.

CASE REVIEW:

Mr Glowczenski was a 35 y/o male with long standing psychiatric disorder who apparently discontinued or reduced his anti-psychotic medication some time prior to the incident. There is also a possible history of alcoholism and possible cocaine abuse. His family called police to get assistance bringing him to hospital because he was acting more mentally unstable. The family turned down the help when police arrived, but 1 hour later police received another call that Mr. Glowczenski had left the house in a poor psychiatric state. Police found him near a school and a confrontation ensued. He was wrestled to the ground, handcuffed, and his legs were tied. In this process he received multiple (apparently 9) contact Taser discharges and was pepper sprayed. Although he was initially yelling and combative, he was subsequently found unresponsive and pulseless. An AED was applied at some point but it advised "no shock". He was brought to an ED where the first reported rhythm was asystole. Apparently, ventricular fibrillation appeared at some point, but following defibrillation asystole reappeared. I do not have direct access to an internal examination by the coroner. Mr. Glowczenski weighed 207 lbs and was 5' 11" tall. The external exam revealed extensive superficial injuries and abrasions. Of note, 18 lesions consistent with 9 TASER burns were found on right lower back, right buttocks, right thigh, with maximum separation of 1.6 in. There was reported evidence of mild myofiber hypertrophy but I do not see a detailed exam of the coronary arteries or remaining heart structures. Toxicology screen revealed celexa.

INTERPRETATION OF THIS CASE:

Mr. Glowczenski suffered from psychiatric disease and apparently had a relapse, possibly as a result of discontinuing his anti-psychotic medications. There are several plausible causes of death. Among them include asphyxia from forcible restraint, and trauma related to the injuries sustained at the scene. There is inadequate documentation to rule out brain related injuries, subdural hematoma, epidural hematoma as causes of death. Intra-abdominal or intra-thoracic hemorrhage is another possible cause of death. It is not clear to me that these possibilities were excluded on the autopsy reports. The presence of mild left ventricular hypertrophy alone is not expected to significantly predispose Mr. Glowczenski to sudden cardiac death. If his coronary arteries were normal, that would be information that would be helpful to further exclude cardiac disease as a cause of death. It does not appear that he was receiving medication or drugs that were likely to directly contribute to death either.

The repeated application of TASER could have played an indirect contributory role by enhancing pain, stress, and acidosis. However, it does not appear likely that the application of TASER played a major contributory role as a cause of death. The close proximity of TASER applications (within 2 ") and the apparent absence of any applications to the chest or precordium, greatly reduced the likelihood of stimulating heart muscle by TASER energy. Moreover, ventricular fibrillation, the likely outcome of TASER related death, was not detected by the AED, nor upon arrival in the ED. Of course, this does not rule out the possibility that VF was initially induced and subsequently degenerated to asystole. Finally, MR. Glowczenski's large body habitus also reduces the likelihood of TASER related heart stimulation because of increased separation between the skin and heart.

The diagnosis of "excited delirium" is often applied to these situations. It is important to emphasize that this is not an accepted psychiatric diagnosis and possesses no clear clinical definition and no fully established pathophysiological mechanism. It is simply a term applied (most often in law enforcement situations) when the appended individual dies without apparent cause. This so called "syndrome" is often associated with cocaine use in overweight individuals who exhibit bizarre and unpredictable behavior. Unfortunately, the term is unhelpful in understanding why an individual dies in these circumstances. Therefore, this ill-defined term should not be used as an ascribable cause of death. The fact is that in many cases, the precise cause of death is uncertain. We should not employ names which imply (falsely) that the level of certainty is somehow increased when we use them.

EXHIBIT U

COUNTY OF SUFFOLK



DIVISION OF MEDICAL-LEGAL INVESTIGATIONS
& FORENSIC SCIENCES
CRIME LABORATORY

Sheet Number	1 of 1
Laboratory Number	04-1018
C.C. Number	04-65136
Command	3310
People vs.	
Date Submitted	1/14/05
Submitted by	Det. Albergo

SUPPLEMENTAL REPORT

MATERIAL SUBMITTED

Item #01.02 - a Taser device (previously submitted)

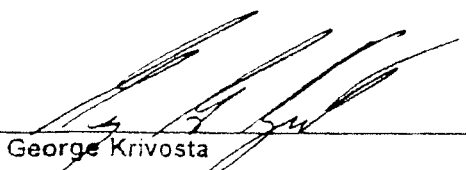
RESULTS

Item #01.02 - The device is a Taser International conducted energy weapon, Advanced Taser Model M26, serial number P3-015300.
The device was tested and found to be operative. Using factory-supplied software and hardware, the device's activity log was downloaded. A copy of this activity log is attached. Examination of this activity log revealed that, prior to or initially during the incident in question (February 4, 2004), the manner in which the device stored its usage records became corrupted.
Additional testing of the device supplemented by testing performed by factory personnel in the presence of this examiner revealed the following:

- The recorded information is consistent with the unit being activated four to five times on February 4, 2004 during the incident in question. Four of those discharges took place within a time period of approximately thirty-nine (39) seconds.
- The device's internal clock was found to have been running at an incorrect time. — why
- The device's energy output was found to be consistent with factory specifications.

False statements made herein are punishable as a Class 'A' misdemeanor pursuant to Section 210.45 of the Penal Law, State of New York.

I have performed the above indicated analysis (es) and reached the conclusion set forth, and hereby certify that the within is a true and correct original or copy of the laboratory report in this case.


George Krivosta
Analyst


Date 5/16/2005

Vm

Device Serial Number [P3-015300]

Line 001) 04/21/03 10:46:34, Monday
Line 002) 04/21/03 10:46:46, Monday
Line 003) 04/21/03 10:46:53, Monday
Line 004) 04/21/03 10:46:59, Monday
Line 005) 04/21/03 10:47:06, Monday
Line 006) 04/21/03 10:47:13, Monday
Line 007) 04/21/03 10:47:19, Monday
Line 008) 04/21/03 10:47:26, Monday
Line 009) 04/21/03 10:47:33, Monday
Line 010) 04/21/03 10:47:42, Monday
Line 011) 04/21/03 11:37:59, Monday
Line 012) 04/21/03 11:38:12, Monday
Line 013) 04/21/03 11:38:19, Monday
Line 014) 04/21/03 11:38:31, Monday
Line 015) 04/21/03 11:38:37, Monday
Line 016) 04/21/03 11:38:43, Monday
Line 017) 04/21/03 11:38:49, Monday
Line 018) 04/21/03 11:38:55, Monday
Line 019) 04/21/03 11:39:00, Monday
Line 020) 04/21/03 11:39:06, Monday
Line 021) 04/21/03 11:39:13, Monday
Line 022) 04/21/03 11:39:21, Monday
Line 023) 04/29/03 07:36:35, Tuesday
Line 024) 04/29/03 07:36:50, Tuesday
Line 025) 04/29/03 07:36:55, Tuesday
Line 026) 04/29/03 07:37:01, Tuesday
Line 027) 04/29/03 07:37:08, Tuesday
Line 028) 04/29/03 07:50:10, Tuesday
Line 029) 04/29/03 07:50:19, Tuesday
Line 030) 04/29/03 07:50:24, Tuesday
Line 031) 04/29/03 07:50:29, Tuesday
Line 032) 04/29/03 07:50:37, Tuesday
Line 033) 05/01/03 12:20:31, Thursday
Line 034) 05/01/03 12:20:37, Thursday
Line 035) 05/01/03 12:20:42, Thursday
Line 036) 05/01/03 12:20:48, Thursday

Line 037) 05/01/03 12:20:53, Thursday
Line 038) 05/01/03 12:20:59, Thursday
Line 039) 05/01/03 12:43:16, Thursday
Line 040) 05/01/03 12:43:25, Thursday
Line 041) 05/01/03 12:43:31, Thursday
Line 042) 05/01/03 12:43:36, Thursday
Line 043) 05/01/03 12:43:42, Thursday
Line 044) 05/01/03 12:43:47, Thursday
Line 045) 05/01/03 12:43:54, Thursday
Line 046) 05/01/03 12:54:32, Thursday
Line 047) 05/28/03 08:52:52, Wednesday
Line 048) 05/28/03 11:00:55, Wednesday
Line 049) 05/28/03 11:01:03, Wednesday
Line 050) 05/29/03 16:35:01, Thursday
Line 051) 05/29/03 17:41:50, Thursday
Line 052) 05/29/03 17:42:10, Thursday
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Line 054) 07/05/03 00:52:33, Saturday
Line 055) 07/05/03 01:17:35, Saturday
Line 056) 07/06/03 00:33:46, Sunday
Line 057) 08/22/03 01:52:25, Friday
Line 058) 08/23/03 00:42:52, Saturday
Line 059) 08/23/03 06:28:43, Saturday
Line 060) 08/28/03 02:29:19, Thursday
Line 061) 08/28/03 13:11:16, Thursday
Line 062) 08/28/03 14:19:42, Thursday
Line 063) 08/28/03 14:20:23, Thursday
Line 064) 08/28/03 14:58:26, Thursday
Line 065) 08/28/03 19:56:39, Thursday
Line 066) 08/28/03 19:57:06, Thursday
Line 067) 08/31/03 00:25:54, Sunday
Line 068) 08/31/03 00:26:01, Sunday
Line 069) 09/01/03 18:22:16, Monday
Line 070) 09/01/03 18:22:32, Monday
Line 071) 09/01/03 18:24:38, Monday
Line 072) 09/02/03 01:10:33, Tuesday
Line 073) 09/03/03 00:58:51, Wednesday

Line 074) 09/05/03 00:36:52, Friday
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Line 082) 09/10/03 14:50:46, Wednesday
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Line 092) 09/30/03 23:59:13, Tuesday
Line 093) 10/01/03 22:24:00, Wednesday
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Line 098) 10/12/03 14:47:05, Sunday
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Line 101) 10/18/03 09:11:51, Saturday
Line 102) 10/18/03 09:12:22, Saturday
Line 103) 10/19/03 16:53:25, Sunday
Line 104) 11/01/03 22:01:09, Saturday
Line 105) 11/01/03 22:02:16, Saturday
Line 106) 11/01/03 22:11:55, Saturday
Line 107) 11/09/03 01:31:59, Sunday
Line 108) 11/16/03 01:28:11, Sunday
Line 109) 11/16/03 01:28:20, Sunday
Line 110) 11/21/03 04:08:01, Friday

Line 111) 11/21/03 10:38:24, Friday
Line 112) 11/21/03 10:38:30, Friday
Line 113) 11/22/03 01:34:11, Saturday
Line 114) 11/22/03 05:10:04, Saturday
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Line 116) 11/28/03 15:13:46, Friday
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Line 121) 12/02/03 23:55:27, Tuesday
Line 122) 12/03/03 17:28:49, Wednesday
Line 123) 12/03/03 17:28:58, Wednesday
Line 124) 12/03/03 17:29:21, Wednesday
Line 125) 12/03/03 17:30:51, Wednesday
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Line 130) 12/12/03 01:23:22, Friday
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Line 145) 01/13/04 10:17:06, Tuesday
Line 146) 01/13/04 10:17:38, Tuesday
Line 147) 01/23/04 01:32:52, Friday

Line 148) 04/04/48 04:04:04, Wednesday
Line 149) 04/02/01 04:13:35, Wednesday
Line 150) 04/02/09 04:13:36, Wednesday
Line 151) 04/02/27 04:13:36, Wednesday
Line 152) 04/02/47 04:13:36, Wednesday
Line 153) 04/02/51 02:15:54, Sunday
Line 154) 04/02/37 02:15:54, Sunday
Line 155) 04/02/48 02:15:55, Sunday
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Line 158) 04/02/13 03:11:43, XXXXXX
Line 159) 04/02/22 03:12:03, XXXXXX
Line 160) 04/02/42 03:12:03, XXXXXX
Line 161) 04/02/24 03:12:39, XXXXXX
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Line 164) 04/12/54 06:12:05, Tuesday
Line 165) 04/12/18 06:12:05, Tuesday
Line 166) 04/12/33 06:12:07, Tuesday
Line 167) 04/12/51 06:12:07, Tuesday
Line 168) 04/12/03 06:12:07, Tuesday
Line 169) 04/12/65 06:12:08, Tuesday
Line 170) Data Record not initialized
Line 171) Data Record not initialized
Line 172) Data Record not initialized
Line 173) Data Record not initialized
Line 174) Data Record not initialized
Line 175) Data Record not initialized
Line 176) Data Record not initialized
Line 177) Data Record not initialized
Line 178) Data Record not initialized
Line 179) Data Record not initialized
Line 180) Data Record not initialized
Line 181) Data Record not initialized
Line 182) Data Record not initialized
Line 183) Data Record not initialized
Line 184) Data Record not initialized

COUNTY OF SUFFOLK



CH

DIVISION OF MEDICAL - LEGAL INVESTIGATIONS
& FORENSIC SCIENCES
CRIME LABORATORY

Sheet Number 1 of 4
Laboratory Number 04-1012
C.C. Number 04-65,136
Command 3310
People vs. _____
Date Submitted 1/14/2005
Submitted By Det. Albrecht

WORKSHEET

Supplemental Report

MATERIAL SUBMITTED

Item # 01.02 A TASER DEVICE
(previously submitted)

RESULTS

Item # 01.02 The device is a
TASER INTERNATIONAL CONDUCTED
ENERGY WEAPON, ADVANCED
TASER MODEL M26,
SERIAL # P3-015300.

The device was tested and

COUNTY OF SUFFOLK



DIVISION OF MEDICAL - LEGAL INVESTIGATIONS
& FORENSIC SCIENCES
CRIME LABORATORY

Sheet Number 2 of 4
Laboratory Number 04-1018
C.C. Number 04-65,136
Command _____
People vs. _____
Date Submitted _____
Submitted By _____

WORKSHEET

Found to be operative.
Using factory supplied
software and hardware, the
device activity log was
downloaded. A copy of this
activity log is attached.
Examination of this activity
log revealed that, prior
to or initially during
the incident in question
(February 4, 2004), the
manner in which the device
stored its usage records
became corrupted.

COUNTY OF SUFFOLK



DIVISION OF MEDICAL-LEGAL INVESTIGATIONS
& FORENSIC SCIENCES
CRIME LABORATORY

Sheet Number 3 of 4
Laboratory Number 04-1018
C.C. Number 04-65, 136
Command _____
People vs. _____
Date Submitted _____
Submitted By _____

WORKSHEET

ADDITIONAL TESTING OF THE
DEVICE SUPPLEMENTED BY
TESTING PERFORMED BY
FACTORY PERSONAL IN THE
PRESENCE OF THIS EXAMINER
REVEALED THE FOLLOWING:

• THE RECORDED INFORMATION
IS CONSISTENT WITH
THE UNIT BEING ACTIVATED
FOUR TO FIVE TIMES ON
FEBRUARY 4TH, 2004 DURING
THE INCIDENT IN QUESTION.

FOUR OF THOSE DISCHARGES
TOOK PLACE WITHIN A TIME

GE